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# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Monday 19 March 1990

# Assemblée législative de l'Ontario

Deuxième session, 34e législature

## Journal des débats (Hansard)

Le lundi 19 mars 1990



Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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#### Table des matières

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

#### Monday 19 March 1990

The House met at 1330.

Prayers.

#### **DALTON McGUINTY**

Hon Mr Ward: I would seek unanimous consent for the following resolution: that out of respect to the memory of the

late member for Ottawa South, Dalton McGuinty, the House do now adjourn until 2 pm Tuesday 20 March 1990.

Agreed to.

The House adjourned at 1331.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)

Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Beer, Hon Charles, Minister of Community and Social Services (York North L)

Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

Bradley, Hon James J., Minister of the Environment (St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L) Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L) Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)

Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L)

Cousens, W. Donald (Markham PC) Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the

Whole House (Durham East PC) Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L)

Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development (Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L)

Hampton, Howard (Rainy River NDP)

Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio

(Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation

(Windsor-Sandwich L)

acant, Ottawa South

#### **EXECUTIVE COUNCIL**

eterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs

lixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development

Bradley, Hon James J., Minister of the Environment

Scott, Hon Ian G., Attorney General

O'Neil, Hon Hugh P., Minister of Mines

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions

Wrye, Hon William, Minister of Transportation

Kwinter, Hon Monte, Minister of Industry, Trade and Technology

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations

Caplan, Hon Elinor, Minister of Health

Fontaine, Hon René, Minister of Northern Development

Ramsay, Hon David, Minister of Agriculture and Food

Ward, Hon Christopher C., Minister of Government Services

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources

Patten, Hon Richard, Minister of Correctional Services

Phillips, Hon Gerry, Minister of Labour

Wong, Hon Robert C., Minister of Citizenship

Mancini, Hon Remo, Minister of Revenue

Wilson, Hon Mavis, Minister without Portfolio

Offer, Hon Steven, Solicitor General

Hart, Hon Christine E., Minister of Culture and Communications

Beer, Hon Charles, Minister of Community and Social Services Black, Hon Kenneth H., Minister of Tourism and Recreation

Morin, Hon Gilles E., Minister without Portfolio Collins, Hon Shirley, Minister without Portfolio

#### PARLIAMENTARY ASSISTANTS

Adams, Peter, assistant to the Minister of the Environment (Peterborough L)

Ballinger, William G., assistant to the Minister of Municipal Affairs (Durham-York L)

Bossy, Maurice L., assistant to the Minister without Portfolio responsible for disabled persons (Chatham-Kent L)

Carrothers, Douglas A., assistant to the Minister of Industry, Trade and Technology (Oakville South L)

Cleary, John C., assistant to the Minister of Agriculture and Food (Cornwall L)

Cooke, David R., assistant to the Minister of Citizenship (Kitchener L)

Curling, Alvin, assistant to the Minister of Intergovernmental Affairs (Scarborough North L)

Daigeler, Hans, assistant to the Minister of Revenue (Nepean L)

Dietsch, Michael M., assistant to the Minister of Labour (St Catharines-Brock L)

Elliot, R. Walter, assistant to the Minister of Housing (Halton North L)

Fawcett, Joan M., assistant to the Minister of Skills Development (Northumberland L)

Ferraro, Rick E., assistant to the Minister of Financial Institutions (Guelph L)

Fleet, David, assistant to the Minister without Portfolio responsible for women's issues (High Park-Swansea L)

Fulton, Ed, assistant to the Minister of Tourism and Recreation (Scarborough East L)

Grandmaître, Bernard C., assistant to the Minister of Health (Ottawa East L)

Haggerty, Ray, assistant to the Minister of Consumer and Commercial Relations (Niagara South L)

Henderson, D. James, assistant to the minister responsible for the provincial anti-drug strategy (Etobicoke-Humber L)

Hošek, Chaviva, assistant to the Chairman of Management Board of Cabinet (Oakwood L)

Keyes, Kenneth A., assistant to the Minister of Education (Kingston and The Islands L)

Kozyra, Taras B., assistant to the Minister of Northern Development (Port Arthur L)

Leone, Laureano, assistant to the Minister of Culture and Communications (Downsview L)

Lipsett, Ron, assistant to the Minister of Energy (Grey L) Lupusella, Tony, assistant to the Minister of Government Services (Dovercourt L)

McGuigan, James F., assistant to the Minister of Agriculture and Food (Essex-Kent L)

Miller, Gordon I., assistant to the Minister of Transportation (Norfolk L)

Nicholas, Cindy, assistant to the Solicitor General (Scarborough Centre L)

Polsinelli, Claudio, assistant to the Attorney General (Yorkview L)

Poole, Dianne, assistant to the Minister without Portfolio responsible for senior citizens' affairs (Eglinton L)

Reycraft, Douglas R., assistant to the Treasurer and Minister of Economics (Middlesex L)

Riddell, Jack, assistant to the Minister of Natural Resources (Huron L)

Ruprecht, Tony, assistant to the Minister of Community and Social Services (Parkdale L)

Smith, David W., assistant to the Minister of Correctional Services (Lambton L)

South, Larry, assistant to the Minister of Mines (Frontenac-Addington L)

Stoner, Norah, assistant to the Minister of Colleges and Universities (Durham West L)

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Administration of justice: chair, Mr Chiarelli; vice-chair, Mr McClelland; members, Messrs Hampton, Kanter, Kormos, Miss Nicholas, Messrs Polsinelli, Runciman, D. W. Smith and Sterling; clerk, Douglas Arnott.

Estimates: chair, Mr McCague; vice-chair, Mr Cousens; members, Messrs Charlton, Cleary, D. R. Cooke, Henderson, Matrundola, Miclash, Philip, Miss Roberts and Mr Villeneuve; clerk, Harold Brown.

Finance and economic affairs: chair, Mr Mahoney; vice-chair, Mr Faubert; members, Mrs Cunningham, Messrs Daigeler, Ferraro, Haggerty, Ms Hošek, Messrs Mackenzie, McLean, Morin-Strom and Reycraft; clerk, Lisa Freedman.

General government: chair, Mr Pelissero; vice-chair, Mrs LeBourdais; members, Ms Bryden, Messrs Carrothers, Charlton, Furlong, J. B. Nixon, Runciman, Sola, Velshi and Wiseman; clerk, Franco Carrozza.

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Legislative Assembly: chair, Mr Epp; vice-chair, Mr M. C. Ray; members, Messrs Breaugh, Brown, Campbell, Cureatz, Eakins, Farnan, J. M. Johnson, Kerrio, and Mrs Sullivan; clerk Deborah Deller.

Ombudsman: chair, Mr Velshi; vice-chair, Mr Kanter; members, Mr Bossy, Ms Bryden, Messrs Carrothers, D. R. Cooke, Cousens, Henderson, MacDonald, Philip and Pollock; clerk, Franco Carrozza.

Public accounts: chair, Mr Philip; vice-chair, Mr Pouliot; members, Messrs Adams, Ballinger, Cordiano, Cousens, Curling, Harris, Leone, Miss Martel and Ms Poole; clerk, Tannis Manikel.

Regulations and private bills: chair, Mr Callahan; members, Messrs Bossy, Jackson, Kanter, MacDonald, Mackenzie, Morin-Strom, Ms Oddie Munro, Messrs Pollock, Ruprecht and Tatham; clerk, Lisa Freedman.

Resources development: chair, Mr Laughren; vice-chair, Mr Mackenzie; members, Messrs Dietsch, Fleet, Harris, Lipsett, Mrs Marland, Messrs McGuigan, Miller, Riddell and Wildmar clerk, Lynn Mellor.

Social development: chair, Mrs O'Neill; vice-chair, Mrs Fawcett; members, Mr Allen, Mrs Cunningham, Messrs Elliot Grandmaître, Jackson, Neumann, R. F. Johnston, Keyes and Mrs Stoner; clerk, Todd Decker.

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Education: chair, Mr Campbell; vice-chair, Mr Miclash; members, Messrs D. S. Cooke, Furlong, Jackson, R. F. Johnston, Keyes, Mahoney, Mrs Marland, Mrs O'Neill, and M Poole; clerk, Tannis Manikel.

Energy: chair, Mrs Sullivan; vice-chair, Mr Brown; members, Messrs Callahan, Charlton, D. R. Cooke, Cureatz, Mrs Grier, Messrs Kerrio, McGuigan, Pollock and M. C. Ray; clerk, Tod Decker.

#### SPECIAL COMMITTEE

Parliamentary precinct: co-chairs, Hon Mr Edighoffer and Mr Epp; members, Messrs Breaugh, Reycraft and Villeneuve; clerk, Smirle Forsyth.

#### **CONTENTS**

### Monday 19 March 1990

	Executive council
Hon Mr Ward	Parliamentary assistants
<b>djournment</b>	Members of standing and select committees 4
Iphabetical list of members	





# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

**Tuesday 20 March 1990** 

# Assemblée législative de l'Ontario

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 20 March 1990

The House met at 1400. Prayers.

#### **LEGISLATIVE PAGES**

The Speaker: I would like to ask all members to join me in welcoming the first group of legislative pages to serve in the spring session of this, the 34th Parliament, 1990. The names of the pages and the respective ridings are as follows:

Charlotte Allen, Brampton North; Sarah Armstrong, Timiskaming; Gregory Bray, Dufferin-Peel; Kerry Clark, Grey; Chris DeMaria, St Andrew-St Patrick; Jeffrey Feiner, Oakwood; David Ferris, Sarnia; Stuart Ginn, Cochrane South; Justin Hannah, St Catharines; Stephanie Hodge, Hastings-Peterborough; Michelle Jobin, Durham Centre; Michelle Kanojia, Brampton South; Camellia Koo, Mississauga West; Scott Mackowski, Bruce; Eric McDonald, Etobicoke-Lakeshore; Nancy Macdonald, Victoria Haliburton; Krista Morris, Norfolk; Scott Murray, Mississauga South; Chris Peters, Simcoe East; Pawel Ratajczak, Etobicoke-Rexdale; Sara Reynolds, Quinte; Adrienne Sauder, St Catharines-Brock; Melanie Walker, London Centre; Dylan Wood, Niagara Falls.

Please join me in welcoming our new group of pages.

#### MEMBER'S PRIVILEGES

**The Speaker:** This may be the appropriate time. In our last sitting, on 18 December 1989, the member for Markham raised a question of privilege dealing with matters that had arisen in a committee of the whole House on 13 December last.

As I listened to the honourable member for Markham present his question of privilege, I had some initial difficulty with its appropriateness, but he did impress upon me the seriousness of his concerns. I undertook to study the matter and I am now ready to report back to the House.

I will state right off that I cannot find a prima facie case of privilege in this matter. However, I feel it is important that I put on record certain comments regarding the general process and procedure that should be followed in cases similar to that raised by the honourable member. The standing order in question, 98(a) and 98(b), is new to our procedure and it is therefore important to explain its meaning clearly to the members.

The member alleged that the Chair of the committee of the whole had acted improperly on that date in that he had not recognized him while he was seeking the floor and had ignored the member's pleas to be heard on the question. I must make it quite clear that I have made no attempt to look into the record of what exactly happened in the committee and therefore I am not rendering any judgement upon the conduct of the Chair of the committee. What I will attempt to do is put to the House the procedure which should be followed by a committee Chair in those circumstances as well as the procedure that should be followed by a member of the committee who is disatisfied with the decision of the Chair in the committee of the whole.

To start with, it is the duty of the Chair of the committee of he whole to ensure that every member who wants to express his or her opinion on a question then before the committee should be given every chance to do so. On the other hand, it is the duty of every member participating in the work of the committee to try not to be repetitive in his or her arguments so as to hinder the normal work of the committee. It is also the duty of the Chair, when putting a question, to do so in a manner which ensures that the voicing of the various opinions from the floor can be easily distinguished and that every member has a chance to express his or her opinion, aye or nay, to the question being put. In no circumstances must haste dictate the conduct of the committee or the Chair.

It is a well-accepted rule of British parliamentary tradition, not only exercised in Ontario but in most other countries in the Commonwealth, that members who want to question the appropriateness of a proceeding before a committee of the House should do so directly with the Chair of the committee and not to the Speaker of the House. The reason for this is that the committee is master of its own proceedings and is equipped to deal with any controversy that might arise from those proceedings.

While it is true that our standing orders permit an appeal of a Chair's decision to the Speaker of the House, whose decision is then final, the only way in which a Speaker would accept such an appeal for consideration would be if it were couched in the context of a report to the House by the Chair stating that his ruling was being appealed.

I must therefore at this time attempt to clear up the application of our standing order 98. In order for the Speaker to be seized of an appeal flowing from standing order 98(a) and (b), the following should have taken place previously. First, there has to have been a question raised officially by the member with the Chair. Second, there has to have been a ruling made by the Chair. Third, there has to have been a request to the Chair by the member that his or her ruling be appealed to the Speaker, and in presenting this request the member should be precise in his or her reasons for the appeal. Fourth, the Chair will automatically adjourn the committee and report the matter to the Speaker who will either decide immediately or take the matter under advisement. Finally, the Chair will resume his duties and the committee of the whole will continue its work.

This, in my opinion, has to be the correct interpretation put upon standing order 98, in that it is extremely important to preserve the principle that what happens in a committee must be decided by the committee, and only through the Chair of the committee is the House to be apprised of the committee's proceedings and decisions. It is not therefore permissible for a member to appeal a Chair's decision directly to the Speaker. A member wishing to appeal must do it by way of the Chair reporting the matter to the Speaker immediately.

I thank the honourable member for Markham for bringing this matter to the Chair's attention, because it has provided me with the opportunity to study this new standing order and clear up any misunderstandings that might have existed as to its proper applications.

I have also attempted to describe generally the appropriate conduct of the Chair of the committee in the application of its duties. I repeat that I cannot find a prima facie case or question of privilege here, as this is a matter that might better have been raised under the terms of a point of order.

Finally, as to the member's complaint about the conduct of the Chair of the committee of the whole on that day, I can only refer him to Beauchesne's sixth edition at page 251 where Sir John Bourinot is quoted as follows, "If a member wishes at any time to call in question the conduct of the Chairman...his proper course is to give notice of a motion to that effect." Thank you for your attention.

Mr Cousens: Mr Speaker, can I ask on a point of personal privilege that this statement you have just made be referred to the standing committee on the Legislative Assembly so that it could be considered by a committee of the Legislature as well.

The Speaker: You can certainly ask. However, I think if the member takes time to read the ruling, he might find what course of action he may take therein.

#### **MEMBERS' STATEMENTS**

#### NORTHERN HEALTH SERVICES

Miss Martel: In February 1989 northern New Democrats met in Sudbury with northern representatives from the Canadian Diabetes Association. The association operates 20 branches and chapters in the north and serves 48,000 people with diabetes.

The chronic problems of diabetes health care in northern Ontario were clearly outlined during that meeting. They include lack of treating specialists, lack of access to specialized care, lack of education programs, lack of early diagnosis and care in native communities and lack of funding for companions for seniors having to travel south for health care.

It was concluded by our presenters that services for diabetics in the north were inferior to those provided in the south. This government could change all that. The Minister of Health could agree to fund regional diabetes centres as proposed by theOntario Council on Diabetes. Sudbury is an ideal location for such a centre. The centre should be staffed with health care professionals to treat diabetes and other resulting ailments. It should co-ordinate information on diabetes research and make the knowledge available to the community. It should produce and promote educational programs for patients, for high-risk groups and for the general public.

A diabetes resource centre in Sudbury would be the first step towards providing adequate diabetes services in the north. Given that the Premier is the patron for the Ontario Council on Diabetes, he should immediately fund this proposal.

#### **FIREFIGHTING**

**Mr Runciman:** Hopefully, the Solicitor General will have a comment on this subject later today.

On behalf of my party, I would like to congratulate those men who risked life and limb to fight the recent tire fire in Hagersville. For 17 days local volunteer firefighters as well as firefighting specialists from the Ministry of Natural Resources worked long hours under some of the worst conditions imaginable to do a job which many said could not be done. It took eight months and 300 men to put out a similar fire in Virginia. It only took 17 days to put out the worst environmental disaster ever created by a government's ineptitude.

Perhaps now this government will appreciate the special role of the volunteer firefighter in this province. Perhaps now the Ministry of the Solicitor General and the Ministry of Skills Development will reassess their support for volunteer firefighters throughout this province. In dealing with the many toxic substances produced by this fire, it is readily apparent that special training is required. Volunteer firefighters are the first line of defence in most of the province against fire, chemical and Liberal hazards of all types.

The member for Lanark-Renfrew introduced a resolution in this House calling for the government to provide funds for equipment and training to volunteer fire departments throughout Ontario. Fortunately, the department in Hagersville was able to deal bravely with the situation despite the neglect of volunteer departments throughout the province. Without the efforts and skills of specially trained firefighters from the Ministry of Natural Resources with their water bombers, it would be unrealistic to expect the quick end we saw.

#### REFORESTATION AWARENESS PROGRAM

**Mr Reycraft:** As we start this spring sitting of the Legislature, I want to tell the assembly about an exciting beginning in my riding of Middlesex.

The Upper Thames River Conservation Authority is known for its impressive record in developing public awareness of the need for environmental care. The authority has done this in many ways, particularly with reforestation. Now, with the help of McDonald's restaurants and TV London, the authority is launching a public awareness campaign for its annual reforestation program, but this year there is a twist.

The goal of this campaign is to sell 20,000 lapel pins at \$3 each. Every time a pin is sold, a tree will be planted. The Three for a Tree program will be emphasizing the planting of hardwood trees in the London and Stratford areas. Each pin has a picture of a type of hardwood tree to be planted under the program. The series of four pins is being sold at all area locations of McDonald's restaurants.

The work done by the Upper Thames, TV London and McDonald's should also be congratulated. I hope this type of united effort between a public authority and a private interest is something we will see again.

I am confident the people of Middlesex and London will support the Three for a Tree with great enthusiasm. It goes to show the great distance we have all travelled in realizing that environmental issues are not just the concerns of a few special interests, but in fact are everyone's concerns.

I ask all members of the House to join me in recognizing and congratulating all the participants in this exciting project.

1420

#### FRENCH-LANGUAGE SERVICES

Mr Morin-Strom: Seven weeks ago a controversial decision was made to declare English the official language of Sault Ste Marie. Since then our community has experienced one of the most trying periods in its long and proud history as Ontario's oldest community.

Regardless of what the actual intentions may have been, the perception of the unilingual resolution is one of intolerance. I very much regret this controversy that has unfairly tarnished the image of my home town, a community that has always prided itself for its friendly, caring and generous nature.

To other communities across Ontario I say, learn from our experience. It has been a profoundly divisive experience that I would not wish on any other community.

In the next few days, this Legislature must come together to affirm Ontario's support for linguistic duality as a fundamental characteristic of our country. Efforts must be made on all sides to ensure French-speaking Ontarians will be guaranteed education and other services in their own language.

At the same time, we must reassure municipalities that the province will not impose further cost burdens on them. Political leadership across Canada must now work towards a consensus on relations between the two official language groups and towards a resolution of the differences over the constitution of our country. Only then can Canada move forward as a unified nation.

#### CHILDREN'S MENTAL HEALTH SERVICES

Mrs Cunningham: Currently in our province there is a list of over 10,000 children waiting for services in children's mental health centres. The waiting list for treatment is between six months and over a year and many of those waiting suffer from physical and sexual abuse and suicidal tendencies. Because of long waiting lists children do not have a right to mental health care services in Ontario. If a child is a victim of sexual abuse, violence, emotional disturbance or mental illness, he desperately needs help.

The Liberal record is extremely poor. There is no question that they do not see children's mental health as an area of priority, in spite of the fact that it was asserted in their last throne speech that children are our future and that we have to invest in the future generation of Ontarians.

The Ontario Association of Children's Mental Health Centres is concerned that programs that involve the health, social services, justice and educational systems are poorly co-ordinated. Which ministry has jurisdiction over universal access? Which ministry has the lead responsibility for interministerial co-ordination?

What is needed is an independent third-party review of mental health services for children. I say to the minister, let's get on with it.

#### FEDERAL BUDGET

Mr Miclash: The recent federal budget has turned into a nightmare for Canada's northern native communities. The federal cutbacks represent a further example of the Mulroney government passing the burden of its debt on to the backs of those least able to afford it.

On 20 February the Mulroney government cut \$10 million in funding for native programs from the budget of the Secretary of State of Canada. These cuts can only be described as offensive and they will have a disastrous effect in my riding of Kenora. Native individuals already face higher levels of unemployment, illiteracy and suicide than other Canadians. The federal government is going to make this situation even worse through the neglect shown by the elimination of the friendship centre program.

The development of native communications will also be seriously damaged. Northern native communities have no access to the rest of Ontario and the world around them due to their remoteness. The Wawatay Native Communications Society of Sioux Lookout has helped to eliminate that isolation through the development of its radio and television programming. But with these cuts, Wawatay will experience a \$600,000 cut in its \$1.9-million operating budget. This will result in layoffs and reduce services.

I call upon the federal government to reverse these cuts and return funding to those native programs.

#### **GOVERNMENT'S RECORD**

Mr Farnan: On 28 February the New Democratic Party caucus hosted a forum in Cambridge entitled Communities in Rapid Growth—Challenges and Solutions. Many leaders in the Waterloo region presented thoughtful and provocative briefs.

This forum provides an indication of the difference between the New Democratic Party and this Liberal government. New Democrats believe in a participatory form of government in which we would involve all our major partners: regions, municipalities, school boards, commissions and councils, etc.

Significant community concerns were expressed, many of which I will be addressing in this session: issues relating to the

environment and water supply, the lack of a provincial master plan for development, problems related to housing, public transit, schools and health.

A theme emerged indicating a general dissatisfaction with the manner in which this government is operating. Unilaterally and without prior consultation, this Liberal government imposes additional and expensive responsibilities on our partners in local government who must deliver these costly services that the provincial government so grandiosely announces. There is dissatisfaction with the reduction or elimination of grants and traditional subsidies, dissatisfaction at the failure of this government to provide adequate funding to meet the costs of these additional services and, finally, dissatisfaction at the level of support to meet the demands for new and expanded services created by rapid growth.

It is time that this Liberal government listened to our partners in local government.

#### FIRE ALARMS

Mr McLean: My statement is directed to the Solicitor General and concerns my private member's bill, Bill 88, An Act to Regulate Alarm Systems, which received first reading on 5 December 1989. As members no doubt recall, this bill regulates fire alarm systems installed on real property by establishing a licensing system for persons engaged in the business of providing alarm services and those employed as alarm installers. As well, the bill provides for investigations regarding the suitability of persons applying for licences and investigations of complaints against persons providing alarm services.

Since this private member's bill was introduced last December, I have received a considerable amount of interest in and support for this type of legislation from the police, fire and municipal officials throughout Ontario. Like me, these officials have expressed concern about the high number of false alarms and the disabling effects they have on police and fire department morale. It should be noted that last year alone 98 per cent of the alarm calls that the Orillia city police responded to were false. It cost taxpayers \$500 for each false alarm responded to by the Orillia Fire Department in 1989.

I am certain the statistics will be the same for other municipalities in Ontario and I think the minister will agree there is a pressing need for us to act on Bill 88 as soon as possible. Failing that, why does he not bring in some legislation now to solve this problem?

#### RENTAL HOUSING PROTECTION

**Mr Fleet:** Today I will introduce two new laws to improve protection for residential tenants in Ontario.

A proposed amendment to the Landlord and Tenant Act will protect tenants from eviction due to minor breaches of a residential lease. This would include situations involving pets which are not a nuisance to other tenants or the landlord. It would also apply to the tenant use of air-conditioners, as the cost of such use can be recovered by the landlord under rent review.

The second proposal is an amendment to the Residential Rent Regulation Act to protect tenants from landlords flipping apartment buildings. The present law allows a landlord to apply for a pass-through of financing costs after buying a new building. Typically, each application increases rents by an extra five per cent per year for two or three years. If the building is sold every three years, the tenants face an extra five per cent annual rent increase indefinitely. This new proposal limits such applications to once every 10 years.

I am very concerned that tenants in Ontario, and particularly in High Park-Swansea, should be able to enjoy their homes at affordable rents and with the emotional comfort of pets which are not a nuisance to others. Together, these two proposals make existing protection for tenants more effective.

Hon R. F. Nixon: I ask for unanimous consent that members of the House may make comments on the passing of our colleague.

Agreed to.

1430

#### **DALTON McGUINTY**

Hon R. F. Nixon: It is with great sorrow that I rise on behalf of the government to express our regret at the news of the passage of Dalton McGuinty. As you know, he was buried this morning. A number of our colleagues, including the leader of the government, are still in Ottawa. His death was sudden and unexpected, which naturally contributed to the shock of the news.

Dalton was well known in this House and highly respected. I suppose we think first of his great sense of humour, but more than anything else he was a special kind of teacher in that in this House and among his personal connections he was able always to express his principles and, in some respects, occasionally a lesson based on his life experience and his good humour.

He spoke frequently here and on all political occasions, and in that regard fulfilled his responsibility as an elected member as well as or perhaps better than most of us, because we always knew what his principles were and he expressed them in a way that made an impact on the whole community.

He was a great example as a man, a great family man. There will be some more references to that. He and his wife Elizabeth had 10 children. I do not believe I have met them all, but I met four of them who happen to be learned in the law and had some very great and interesting discussions with them. Around their breakfast table there must have been lots of controversy and, of course, much good humour.

Dalton himself was an accomplished academic. He went on from a business career to an estimable career at university and in teaching. The confidence from that self-realization was very much a part of what was about him as he spoke to us as his good friends.

His ability to teach I have already referred to and his good humour I have already referred to. The fact that he was respected on all sides is something important. When I think about Dalton, we could say that he was loved in this community and his own community in a way that means his life was an estimable one. We shall certainly miss him in our caucus and in this House, certainly in his own community and certainly in his own family.

Mr Reville: The New Democratic Party caucus here at the Legislature would like to indicate its respect for the memory of Dalton McGuinty, the member for Ottawa South. We would like to celebrate the kind of life that he had because it was a life that was chock-a-block with intellectual, emotional and spiritual wealth and richness.

He had a long and distinguished academic career and, in a way that should inspire all of us, was not at all afraid to take academia on when it was necessary, as in the astoundingly frank and tough article he wrote at the time of the Phillippe Rushton matter, when he challenged the academic community not to hide behind academic rigmarole as he attacked the conclusions that Phillippe Rushton arrived at. He wrote as well in a way that was both poignant and intelligent about a student he had had who regrettably took her own life; a gifted student, a troubled student. At the conclusion of his article he said, "If there is guilt, I share it. If there is shame, I know it."

That is the kind of man that Dalton McGuinty has been. Clearly, the kind of enthusiasm he created among the members of his family for his life and his work is a tribute to that and one which all of us would be glad to have and do not always.

In a personal sense, I did not know Dalton very well, but I did, for my sins and he for his sins, sit on the committee that listened to the folk about Sunday shopping. During interstices when people were not beating on us about that matter, Dalton and I were able to chat about this and that. It was quite a wide this and that, as you might expect, and he was clearly a man with a lively and independent intelligence and cast of mind.

To his family, clearly they have celebrated Dalton for many years and our thoughts and sympathy go to them at this time.

Mr Sterling: This morning I joined with my leader, the Leader of the Opposition and the Premier, the Lieutenant Governor of this province, the family of Dalton McGuinty, 40 or 50 of my colleagues from this Legislature and I believe probably 2,000 people from the city of Ottawa to pay tribute to a very great member of this Legislature, Dalton McGuinty.

I did not know Dalton very well before he came here to the Legislature. I had heard of him, I had read of him back in Ottawa newspapers about his days as a school trustee, but I and my colleagues certainly became aware of this warm, courteous and kind man from Ottawa South soon after he arrived here in this Legislature.

Dalton was unique. Dalton was one of the far too few characters we have in our Legislature, and he was with us for far too short a time. He was not hesitant to express his views clearly about an issue, and he usually did it in a different manner than most of the rest of us, where MPPs might choose a letter to the editor or a letter to all of the rest of the MPPs in the Legislature, an appeal to a committee of the Legislature to appear as a witness or a speech or a petition with a different kind a twist and often spiked with humour, never a mean streak or an unkind word.

Last night, in speaking to his son Dalton Jr, he expressed how Dalton viewed the Legislature of Ontario. He said it was interesting, exciting and frustrating. He was usually able to make his point while offending no one. He once described himself as a loose cannon, but I do not think that description was right, for a loose cannon often does damage. Dalton made his point, he provoked thought, but he never did much damage.

Dalton often talked about his wife and children, of whom he was immensely proud. He was a strong supporter of his church, his university and law and order. He had a tremendous respect for our police forces and was a very close ally and friend of the Ottawa police force. Dalton came from humble beginnings, and when addressing a problem he would often relate back to the memories of his childhood days. There can be no doubt that he gave a great deal more to his family, more to his community and more to life itself than he ever took back.

Last summer, while sitting on the standing committee on administration of justice of this Legislature, Dalton supported a motion which I proposed, much to the chagrin of the other Liberal members of the committee. The motion lost, but on returning to the House last October, I stopped by his seat, which is draped in black today in his honour, to thank him for his support. His response was: "My boys"—and the Treasurer has

referred to the four lawyer boys in the family—"told me that the government was travelling too fast with this legislation. Your motion made good sense, so I supported it. You see, Norm, I'm not confined by ambition."

Dalton was the same when he was a trustee on the Ottawa Board of Education: true to his beliefs, true to the institutions he supported, and if your argument was good, you might convince him to vote with you. There are far too few MPPs in this House with that same quality and sense of freedom which allows them to follow their own conscience. Dalton was a wonderful example that many of us should follow.

We will miss his intellect and his humour, but most of all we will miss Dalton as our friend. Despite his being of a different political persuasion, the MPPs in my party, the Progressive Conservative Party, had great affection for him. On behalf of my caucus, I want to express our heartfelt sympathies to Elizabeth, Dalton's wife, and his 10 children, his family and friends and to the electors of Ottawa South and to close by saying that I feel deeply honoured to give our farewell tribute to Dalton McGuinty. It is not easy to say goodbye to a friend, but I know he will be remembered fondly by all members of this Legislature.

The Speaker: On your behalf, when the official Hansard is printed, I will make certain that Elizabeth McGuinty receives a copy officially, but I think now, out of respect for and in memory of our late colleague the member for Ottawa South, I would ask all members and all visitors to rise for one minute of silence.

The House observed one minute's silence.

1440

#### STATEMENTS BY THE MINISTRY

#### TIRE FIRE

Hon Mr Offer: I rise to report to members of this House on the recent tire fire in Hagersville. As they are aware, on 12 February of this year, at about one o'clock in the morning, an OPP officer discovered a fire in the midst of almost 14 million tires spread over 13.7 acres. The office of the fire marshal has determined that this fire was caused by an act of arson.

By Thursday 1 March, a mere 17 days after it began, the tire fire was formally declared to be out. This remarkable achievement defied widespread predictions that the fire would burn for months.

The successful response to this situation was a result of the highest possible level of co-operation between the municipal, regional and provincial governments. This co-operation was fostered by the early creation of a joint response team which provided direction regarding public safety, environmental and health concerns and enhanced the management of onsite firefighting. It was composed of representatives of several ministries and the regional government.

I am certain that all members of this House will share with me in recognizing the heroic efforts of those responsible for putting out this fire so quickly.

The volunteer crews deserve our congratulations and gratitude. They made remarkable progress in the early stages in spite of some the worst weather conditions this winter. They continued their diligent efforts, in collaboration with firefighters from the Ministry of Natural Resources, until the fire was completely extinguished.

We commend the MNR firefighters, who displayed the highest standards of professionalism, courage and sheer physi-

cal stamina, as well as the people who operated the heavy equipment which was such a vital component of the firefighting team.

The part played by the people of Hagersville and area has also been truly remarkable. This difficult time called forth the best from all of the residents.

The joint response team is continuing to co-ordinate the process of rehabilitation and of directing our efforts towards cleaning up, restoring the site and administering compensation. The government is currently reviewing recommendations of the financial and legal subcommittee regarding long-term compensation. An announcement is expected shortly.

This government is taking action to create stronger and more comprehensive regulatory and legislative tools which can address situations of this type. Towards this end, my ministry is making changes to the fire code and is providing legislative amendments to the Fire Marshals Act. These changes will enable the Ontario government to intervene immediately when fire hazards present a serious threat to the environment while the judicial process is under way. This government stands firm in its resolve to put measures in place to prevent another fire of this type in Ontario. Thank you.

Hon Mr Bradley: Further to the report of my colleague the Solicitor General, I will be bringing forward this sitting of the Legislature amendments to the Environmental Protection Act which will empower my ministry to carry out disputed cleanup orders even while they are being appealed. In addition, we have announced a \$16-million program to secure used-tire sites and stimulate tire recycling.

I would like now to apprise members of the House of the latest information on the situation at the Tyre King site near Hagersville following the extinguishing of the tire fire on 28 February. As a first principle, this government is committed to cleaning up any contaminants resulting from the fire.

Here are the parameters of the environmental consequences of the fire, as they have been measured.

With regard to air quality, the Ministry of the Environment brought in its TAGA mobile air-monitoring unit to the site immediately. The TAGA provided continuous readout results which were used by the medical officer of health to establish the appropriate evacuation advisory area. During the fire, we were able to measure pollution in the smoke plume and were also able to determine that measurements outside the evacuation advisory area showed no contaminants exceeding air quality guidelines.

The ministry is still measuring air quality adjacent to the fire site. Current results of tests for toluene, benzene, dioxins, polyaromatic hydrocarbons and a variety of other potential contaminants show no exceedances of any air quality guidelines. The air quality being measured is now regarded by ministry experts as typical for a rural area.

My ministry has offered to clean up the soot left downwind of the fire from the nine nearby houses. A contract is now being let to clean the houses, inside and out, of those home owners who have indicated they wish to have it done.

Air tested inside these homes for benzene, toluene, xylene and 100 other potential contaminants has been found to meet all ambient air standards.

As part of our ongoing analysis of any environmental effects of the fire, my ministry will be testing soil and foliage for any air pollution effects.

Here is the situation with regard to water.

My ministry moved quickly to contain the firefighting runoff water which was polluting Sandusk Creek in the first days of the fire, while residents were advised not to allow livestock to drink from the creek.

We built a system of ditches to direct surface runoff into two containment ponds where we stored the captured water. Tests of that captured water showed high levels of dioxins, phenols, zinc, benzene, toluene and xylene. We have since constructed an onsite water treatment plant. The plant provides oil separation, settling ponds, air-stripping and carbon filtration. The plant can treat 300 gallons of water a minute and has completed treatment of the 1,032,500 gallons of captured runoff water that were stored on site. This treated water has been tested for a variety of potential contaminants and contains no detectable benzene, toluene, xylene, phenols or dioxins and meets all water quality guidelines.

Once containment ponds began capturing the runoff for treatment, and while the firefighting proceeded, the contamination in Sandusk Creek abated. The most recent results from testing of Sandusk Creek for more than 100 potential contaminants show none are detectable.

With regard to ground water quality, we have tested 172 domestic wells in the area surrounding the fire site for more than 100 potential contaminants each. The 13 wells nearest the site are tested three times a week. Sixteen other nearby wells are tested weekly—a monitoring program developed by the medical officer of health, my ministry and others. The results from this ring of early-warning indicators do not show any evidence that ground water contamination has moved offsite. It it our intention to pump up and treat any contaminated ground water which may be detected, to remediate the aquifer.

As you know, the intense heat of the fire caused oil to be pyrolysed from tires. Using a system of trenches and oil separators, 170,000 gallons of oil and oily water were collected and trucked to the Esso refinery at Nanticoke. We hope to recycle this oil.

Oily soil has been scraped from the surface of the site to minimize contaminated runoff and leachate during spring rains. This soil will be taken to licensed waste facilities.

Security on site is being provided by the Ontario Provincial Police.

A consulting firm has been selected to sample soil and ground water and to plan the complete cleanup of the site, including any remedial action required for the aquifer and any other environmental programs which may be encountered.

In order to keep nearby residents fully informed of all test results and to obtain their thoughts on cleanup procedures, a citizens' liaison committee has been established, has toured the site and has held three meetings. In addition, we are committed to holding public meetings as the cleanup proceeds.

#### 1450

Our information to date suggests that the remarkable efforts of local volunteers and professional forest firefighters from the Ministry of Natural Resources, who snuffed the fire in record time, minimized environmental damage and gave us an opportunity to effect a complete environmental cleanup. A complete cleanup is certainly my ministry's commitment to the people of the Hagersville area.

#### **VISITOR**

The Speaker: Just before I call for responses, I would like to advise all members of the assembly of a visitor in the Speaker's gallery from the province of Quebec, the Minister of Cultural Affairs, the Honourable Lucienne Robillard. Please welcome the minister.

#### RESPONSES

#### TIRE FIRE

Mrs Grier: The final sentence in the Minister of the Environment's statement that a complete cleanup is his commitment to the people of the Hagersville area is, of course, welcomed on this side of the House. What else could he do? What we would much rather have welcomed is a commitment to prevention of the problem that led to the cleanup in Hagersville. If ever there was a case of locking the stable door after the horse has bolted, of management by disaster, of any other cliché you could think of, it is the actions of this government in making these kinds of statements in the House today.

It is ironic that today is the anniversary of the spills from the Exxon Valdez. Here in Ontario we have had our own oil spill, an oil spill that could have been prevented. That is the tragedy of this event and that is what this government has to be held accountable for.

Of course the volunteers did a fine job, and we endorse the statements that acknowledge the role that they did. The ministries, in fact, cut through red tape after the disaster had happened and managed an effective cleanup. But why was that red tape not cut through before the disaster happened?

They knew it was a disaster waiting to happen. No less a member than the member for Brant-Haldimand, as early as May 1989 said, "A fire at Straza's dump would be a worse pollution threat than the PCB fires in Quebec." And nothing was done.

The minister says he is going to bring in amendments to the legislation so that it could not happen again. He did not need amendments to the legislation to prevent this from happening. The actions that he announced last week that he and the Solicitor General were going to take could have been taken in March 1989, in March 1988, in March 1987 or in March 1986, and they were not taken.

The environmental consequences of this disaster we do not know. How often have we heard this minister preach to us about the fact that pollution cannot be contained within boundaries, that it spreads where we know not and therefore we have to take strong action? And now he has the gall to stand up and tell us: "Oh, it's all within the site. Don't worry. It's within the parameters. The air quality is within our air quality guidelines." Those are the same air quality guidelines we had in this province when he took office five years ago. He has not done anything to update them.

If ever there was an example of a government that has been negligent, of a government that has put at risk the people of an area, it has been this government with respect to the Hagersville fire, and it stands accountable for it today.

Mr Kormos: The Solicitor General talks about the volunteer crews deserving congratulations because of their remarkable progress, and he is quite right. He talks about it being in spite of some of the worst weather conditions this winter.

The success and progress of the volunteer firefighters was also in spite of a government that had no plan, that had no state of preparedness, that quite frankly showed an incredibly lax attitude, that turned down offers of assistance from the federal government, that had no idea how long it was going to take for this fire to be put out. Indeed, it is only as a result of the innovativeness, the ingenuity and the plain hard work of those very same volunteer firefighters that this fire was put out in 17 days. There is no way that the Solicitor General or the Minister of the Environment or anybody in this government can accept any responsibility for having put that fire out.

20 MARCH 1990

There is responsibility to be had and it is the incredible impact that this fire has had on the lives of families, children, adults, business people and farmers who live in the Hagersville area. It is little solace to them to be told there is going to be environmental testing, when they know that people across Ontario will not be buying their produce because people across Ontario are fearful it has been tainted by the chemicals the Minister of the Environment speaks of.

It is no solace to them to be told that guards and security forces are going to be placed around tire dumps across Ontario, when in fact the tragedy has already occurred. This government had been forewarned; the minister had been forewarned; the Solicitor General had been forewarned. Hagersville is not alone. There are tire dumps, not quite as large but similar and as dangerous as Hagersville, within miles, within a 20-minute drive of the Minister of the Environment's very own riding. Ontario Tire Recycling in Dain City is sitting there with piles of tires, an accident waiting to happen, the same sort of tragedy, the same sort of crisis, and there is nothing in the announcement today that is going to alleviate that concern.

Mrs Marland: Frankly, I would be embarrassed today if I were a member of the Liberal government applauding this statement from this Minister of the Environment. It is really kind of interesting. We had an example in the region of Peel about four years ago when this minister decided to use his prerogative of a ministerial order to put the selection of a landfill site in the region back four years, at a cost of \$3.5 million to the taxpayers in Peel. How is it, when he knew of this pending disaster, that he did not choose at that time, two years ago, to use a ministerial order to correct a problem that resulted in this terrible disaster? It is rather interesting when this minister is so selective about when he chooses to step in. It is also pretty significant that the first week of this Hagersville disaster he was nowhere to be seen. We did not even know we had a Minister of the Environment.

Quite frankly, when he says, "The air quality being measured is now regarded by ministry experts as typical for a rural area," that is rather significant, when he also says that the air quality tests do not show any contaminants, especially when we do not have any current guidelines. We have been waiting for regulation-308 amendments for several years now, so I do not know against which benchmark his staff measure anything to do with air quality in this province. Frankly, this extensive cleanup would not have been necessary if this Minister of the Environment—if, in fact, we have a Minister of the Environment—had been doing his job in the first place. It is really shameful.

And is it not interesting that he is offering to clean the houses inside and out? I ask him about the people, the wildlife. He says that nobody has been harmed. Where did that plume go to? How extensive has his research been about the impact of the Hagersville fire? I would suggest it has been as extensive as the prevention work that he could have taken in the last two years to prevent it, and that is pretty sickening.

Also, is it not amazing that he is so active as a reaction, and not proactive? I like the fact that he refers in his statement to the fact that his ministry moved quickly to contain the firefighting runoff water that was polluting the Sandusk Creek. Could he not have figured out that there would be runoff water if one is firing hoses on to a fire? But he did not think about that. His staff were not even planning to deal with that fire in the most simple-minded way.

The fact of the matter is that he also makes another statement in here that has a great deal of concern, I may add, for the

people in Mississauga South, who now have some of that water. When I say "some of that water," in my riding we have 90 truckloads—in excess of 600,000 gallons—of this water, and this water he describes as showing high levels of dioxins, phenols, zinc, benzene, toluene and xylene; we know that. That water has not been treated. That water is sitting in a lagoon in Mississauga South today waiting for a decision of his ministry.

#### 1500

Most important, we were told there were not high concentrations. The ministry staff have told us that there are not high concentrations in that water that is being stored, waiting for treatment in Mississauga South. I ask the minister to confirm for us why his statement today is saying that there are high levels. This is a tremendous concern for the people in my riding who are now faced with what happens to that runoff water that he so cleverly, after the fact, decided had to be treated onsite. He has not answered the question about where that water is going to go. Is it going to be treated through the regular sewage treatment plant in Clarkson? If not, we want to know when and where it is going to be treated.

The minister seems to think it is quite simple now because there is an onsite treatment for what is being gathered today, but I ask him about the 600,000 gallons that have already been shipped out of the Hagersville area. I think it is shameful that the Minister of the Environment has again not taken action until after the fact. I remind him that I stood in this House and asked for the money from that tire tax to be directed for tire recycling programs, and the members of this Liberal government voted, each and every one of them, against that amendment.

#### TABLING OF INFORMATION

Mr Runciman: Mr Speaker, I rise on a question of privilege, of which I have given you notice. I wish to deal with a matter that constitutes not only a breach of privilege but a contempt of Parliament and a disrespect to this Legislature.

I refer to "privilege" as defined in Beauchesne's Parliamentary Rules and Forms as follows: "Parliamentary privilege is the sum of the peculiar rights enjoyed by each House collectively...and by members of each House individually, without which they could not discharge their functions and which exceed those possessed by other bodies or individuals."

I feel that my job and responsibility as a member of the Legislative Assembly of Ontario and as a legislator is to represent and to serve the best interests of the people of Ontario. Yet, circumstances arose that made it impossible for me, as Beauchesne puts it, to discharge my function as a member of this House.

On several occasions during the deliberations on Bill 68, An Act to amend certain Acts respecting Insurance, crucial information was deliberately withheld from members of the standing committee on general government. This information was absolutely necessary for the committee to be able to fulfil its mandate.

The Legislative Assembly Act, paragraph 45(1)6, defines a breach of privilege as, "Giving false evidence or prevaricating or misbehaving in giving evidence or refusing to give evidence..." The standing committee on general government was empowered to look at Bill 68, hold public hearings and amend the bill as the committee saw fit. As I mentioned, as a legislator, I feel I have a duty to serve the best interests of the people I have been chosen to represent. Any member who does not share this obligation should not be in this assembly. In fulfilling that duty, I must make my decisions based on the

facts. I must know the true facts, the true impact a piece of legislation will have on those it will affect.

The government had in its possession during the committee hearings submissions from the insurance industry of what its projected rates would be under Bill 68. I made a request for that information because I felt it was critical for our deliberations in committee, not only for myself but for all of the committee members. In my view, we could not have carried on with the hearings in a meaningful way if we did not know what the actual costs were going to be. We had been told one thing about rates during the committee hearings and then we were finding that the Minister of Financial Institutions was publicly saying something quite different.

Once again, I will quote as to what constitutes a breach of privilege from the Legislative Assembly Act: "Presenting to the assembly or to a committee thereof a forged or false document with intent to deceive the assembly or committee."

I am not accusing anyone of deceiving the committee per se. I am simply trying to establish a prima facie case of privilege. However, when the government refused to disclose the industry-proposed rate filings and the minister was quoted elsewhere as saying the rates would be different from what the committee was told, it becomes even more important that this information be released in order to dispel any misconceptions and confusion that arise from this contradiction.

How can I, as a member, and the committee, as a whole, judge what is best for the people of Ontario when the government withholds important information that would allow us to gauge whether people would be adversely or positively affected by this piece of legislation?

The withholding of information is a flagrant circumvention of a fundamental parliamentary principle: that it is we, as mandated by the people of Ontario, we as the fiduciary of the people and we on behalf of the people of Ontario, who are here to serve the best interests of Ontario citizens. The withholding of this information constitutes a breach of the rights and privileges of all members and a contempt of Parliament.

I point out to you, Mr Speaker, the definition of contempt contained in the 21st edition of Erskine May's Parliamentary Practice, chapter 9, page 115, as follows:

"Any act or omission which obstructs or impedes either House of Parliament in the performance of its functions or which obstructs or impedes any member or officer of such House in the discharge of his duty or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedence for the contempt."

The government has obstructed and impeded the committee in its deliberations on a major piece of legislation. Withholding essential information not only misrepresents the substance of the bill, but also the procedure to which it is subject under parliamentary rules. It has prejudiced the proceedings of a committee of the House, the standing committee on general government.

Mr Speaker, I put before you and submit to you that this is a significant question of privilege covering the issue of contempt. If you find a prima facie case, I am prepared to move the appropriate motion.

The Speaker: On the same point? The member for Welland-Thorold.

Mr Kormos: Yes. With respect to the member for Leeds-Grenville's point of privilege, I tell you, Mr Speaker, having served on that committee during the same consideration of Bill 68 as he did, I can understand his concern and I can understand his reasons for raising this today. I tell you that if it were only or merely the one isolated instance of the rate filings, perhaps his point could not be well made, but I can tell you that it was not an isolated instance.

Not only did the government refuse to provide those rate filings, having acknowledged indeed that they were there and knowing how valuable they would be to the committee in reaching its conclusions, but prior to that, the government had to have forced out of it the results of a secret, a clandestine study that the government was conducting through the year 1989, simultaneous with the Ontario Automobile Insurance Board's inquiry, one which demonstrated that the government had no intention of ever living with the results of the OAIB's conclusions.

The government, only as a result of strong pressure and public pressure, finally acknowledged and released on 6 February a number of reports, in excess of 30 reports, which were the \$250,000 study that it conducted in secret, with its own agenda, with total disregard for what the general government committee was doing with respect to Bill 68, or indeed with total disregard to what John Kruger and the Ontario Automobile Insurance Board were doing with respect to the three issues put before it, the issues of no-fault threshold insurance. The fact of that clandestine, secret agenda being performed by the government simultaneous with the conduct of the OAIB strengthens the argument about there having been here a real contempt of parliamentary process. There was a purposive and purposeful withholding of information.

In fact, the contempt goes further than the mere release of information. The contempt goes to the government's intention to totally disregard witnesses who appeared before the committee, hundreds of them, who spoke out against the legislation, who suggested a number of revisions and amendments, all of whom have been disregarded.

The government's agenda was to ram through legislation without letting the committee perform its function, was to ram through legislation without giving any credence to the legislative process or the parliamentary process. It indeed was contemptuous of its own committee, of its own members; it was contemptuous of those people who appeared before that committee to give learned, valuable comment on what was bad legislation—not just lay people, not just lawyers, but people like Rod Barr, retired justice of the Supreme Court of Ontario, and Edson Haines, retired judge of the Supreme Court of Ontario. It disregarded those people. If that is not contemptuous, nothing is.

**The Speaker:** I am just wondering whether the member is debating the bill or whether he is—I presume you are supporting—

Mr Kormos: Yes.

1510

The Speaker: Fine, thank you. Does any other member wish to make any comments on the member for Leeds-Grenville's alleged point of privilege?

Grenville's alleged point of privilege?

I listened very carefully and I agree that the member did give me notice. However, I was not given notice of what would be contained in the point of privilege, so it is very difficult for me to make an immediate decision. I would have to say that from the ruling I gave earlier today it would appear that most of this matter brought before me took place before a committee.

However, because of the length of his presentation, I will be

However, because of the length of his presentation, I will be glad to take a closer look at it and report back to the House, because it may be necessary to repeat something I said earlier today.

**Mr D. S. Cooke**: Does that mean we have to adjourn for another three months?

The Speaker: A page a month.

#### **ORAL QUESTIONS**

#### TIRE FIRE

Mr B. Rae: I have a question for the Premier about the fire at Hagersville and the incredible gap between the government's rhetoric, its ability to tax and its response to this very serious situation.

Back in May 1989, no less a source than the Treasurer—and I think we would all agree that this indeed is a source that is impeccable, unimpeachable and indeed untouchable—and no less a program than Focus Ontario said—he is talking about the tires and this is the Treasurer's language. It is not language to which I would necessarily subscribe, but nevertheless this is how the Treasurer expressed himself:

"These damned tires are piled up by the millions, and I am not exaggerating. They can't be burned, they can't be buried. They are usually dumped. It's got to be cleaned up. If there was a fire at the Straza dump it would be a worse pollution threat than the PCB fires in Quebec."

The Speaker: And the question would be?

Mr B. Rae: That was the Treasurer justifying raising over \$100,000 a day from his tire tax.

The Speaker: The question?

Mr B. Rae: How can the Premier justify raising over \$100,000 a day from a tire tax and still letting Ed Straza run his dump the entire time the Liberals have been in government, doing nothing to stop that and doing nothing to deal with the other tire sites?

Hon Mr Peterson: The Minister of the Environment can tell the honourable member about the programs that the government is embarked upon.

The Speaker: It has been referred to the Minister of the Environment.

Hon Mr Bradley: I am very pleased, first of all, to say that the Treasurer, as the allocations go through for this year, has been generous in allocating a good deal of money for all recycling efforts in the province. In fact, an additional \$18 million was announced recently as a result of more money that is coming in for the general purpose of recycling. In addition to this, in tire management, some \$16 million was announced, and the Treasurer has been generous in that particular allocation, knowing his strong concern for the environment in the province of Ontario and for these matters.

The process we go through, of course, is that each of the ministries puts forward its programs for the upcoming year and those funds are allocated. That brings the total now for all recycling efforts in the province of Ontario, including tire management, to some \$54.5 million from the pittance that was there previously.

So I say to my friend the Leader of the Opposition that the Treasurer has been more than generous in his allocation in this

particular year and I expect he will continue to be as years go on.

Mr B. Rae: The fact remains that this government announced there was a crisis. It has been sitting on top of Mr Straza since 1985. Indeed, we can show that governments in general have been aware of the problem at the Hagersville dump for over 13 years. Nothing effectively was done until the fire. It seems that it takes a fire to get this government to move on anything.

I want to ask the minister again, how does he justify this to those citizens who in good faith were prepared to pay a tire tax because they were told by the Treasurer that the purpose of the tire tax was to deal with what he described as a potentially serious problem, one that he said was substantial? Indeed, he was not exaggerating when he said how bad it was; he said that it could be even worse, if there was a fire, than St-Basile-le-Grand.

The Speaker: Thank you.

Mr B. Rae: My question to the minister, Mr Speaker—

The Speaker: I thought you had repeated the original question. Please put your question.

Mr B. Rae: Mr Speaker...

Interjection.

The Speaker: Order. Would you place your question in one sentence?

Mr B. Rae: I would like to ask the minister, given how much money he has managed to raise, why it would be that he did not even begin or complete the fire inspections on all the sites that he mentioned in his press release that week until after the fire at Hagersville had started. Can he explain that?

Hon Mr Bradley: First, I find it rather interesting that in all the years that I can remember the Leader of the Opposition being in this House, as the Leader of the New Democratic Party when it was the third party and as the Leader of the Opposition now, not once did I receive a question from the Leader of the Opposition about Tyre King or about the safety related to tires.

Now here he is with his 1990 crystal ball for 1987; he comes in with his routine of should have, could have, would have. Yet we went through the estimates of the Ministry of the Environment. That was the choice of his party, that the Ministry of the Environment be selected first and that 15 hours of estimates be devoted. There are a lot of important environmental issues in the province of Ontario, and I want to tell the member that.

Interjections.

The Speaker: Order. I appreciate the help from all the members; however, I think probably if we all listened we might get along a little better.

Mr B. Rae: I very much appreciate what the minister is saying, that it is not enough for the Treasurer to point to there being a potential provincial disaster, that it is not enough for the Treasurer to raise over \$100,000 a day starting back last June, that apparently it is not enough for the ministry itself to be caught in legal action and stuck for five years over a problem at Hagersville for this government to recognize that there is a problem.

I would like to ask the minister a simple question: How does he justify raising to this point nearly \$30 million in the tire

tax? Having his Treasurer say last year that the reason the money is being raised is because these tires are being dumped all over the province and there is a potential hazard all over the province, how does he justify that and not having taken any action at all until after the Hagersville fire started on 9 March?

Hon Mr Bradley: First, the Leader of the Opposition as usual is wrong and has put the facts forward to make his case, of course, as well as he can. I expect that. He is the Leader of the Opposition. I sat in that position on the other side of the House some time ago. I know the routine he must go through.

Hon Mr Bradley: The member for Oshawa is still here. I am glad to see that because he is one of my favourite members.

The Leader of the Opposition says that no action was taken. In fact, he knows that a control order was placed on this particular site in 1987, the components of which could have avoided this particular fire if the person had decided to simply comply with the control order instead of spending money on an expensive court case. Now the member often characterizes himself as a defender of due process and civil rights, when it suits him. This individual had the right to appeal, and he went through an appeal process, unfortunately, that exists. In a western democracy that-

1520

Interjections.

The Speaker: Order. New question, the member for Etobicoke-Lakeshore.

Mrs Grier: I can understand how embarrassed the Minister of the Environment must be about the fact that this occurrence happened, but for him to try to say that the reason he did nothing was because the opposition had not raised it is absolutely unacceptable and he ought to be ashamed of himself.

The Speaker: Order. I was just wondering, your question is to which minister?

Mrs Grier: The question is to the Minister of the Environment.

The minister may think it is amusing, but I do not know whether all the members of this House are aware that the fire that occurred at Hagersville last month is not the first fire at Ed Straza's dump. There was a fire in 1977 that took seven hours to put out. Shortly after this minister took office, the regional chairman wrote to him and asked him to do something about the Tyre King dump. Why does this minister persist in saying that he did not know about it or that he was not able to do anything about it? Can he tell the House, was he aware of the fact that there had been a previous serious fire at the dump? If so, when did he become aware of that?

Hon Mr Bradley: The point I was making with the members of the opposition was, of course, not that action was not taken as a result of their not intervening; in fact, the action was taken in the form of this control order that was put on by the district officer. Of course the party which likes to defend the individual rights of people, the civil rights of people, does not like it in this particular instance, because it worked against the environment and we recognize it is not convenient today to do it. So that is fine.

Interjection.

Hon Mr Bradley: If the member would-I do not know whether to answer his question or the member for Etobicoke-Lakeshore's question, but I will answer her question.

The fact is that in January 1987, the Ministry of the Environment put this control order on. The control order was essentially substantiated by the Environmental Appeal Board of the province of Ontario, and he decided to go to court further. When he went to court further-

Interjection.

Hon Mr Bradley: The Leader of the Opposition says, "Well, why didn't you simply move in to get this thrown out of court or use some technical wrangle?" I am going to tell him something. The people who have experience in dealing with these matters in the courts, the legal officials of the Ministry of the Environment who, I remind the member, have a conviction rate on the conviction side of some 92 per cent in pursuing these matters, these people who have the experience-

Interjections.

The Speaker: Order.

Mrs Grier: Mr Speaker, he did not answer my question, but the answer he gave to the question I did not ask is getting weaker and weaker and thinner and thinner. If the minister is trying to tell the House that the reason he did not ask the courts to lift the stay on the control order was because he did not think the courts would support him, that is completely unacceptable.

Section 122b of the Environmental Protection Act is very

clear. It says:

"A court or other appellate tribunal may make an order under this section where the court...is satisfied that the order is necessary or advisable to prevent or to reduce a hazard to the health or safety of any person or to prevent or reduce impairment of the natural environment for any use that can be made of

Is the minister trying to tell this House that he did not know enough in 1989 to go to the courts and ask for an order under that section?

Hon Mr Bradley: First of all, to the member on section 122b, as she states it, she knows that this applies only if there is a clear, immediate threat to health or property from an ongoing discharge. In the matter of her wanting the legal officials of the Ministry of the Environment to go to court on a technicality, to have a case of substance decided on a technicality, the people who deal with this on a daily basis, the people who have chosen to be part of the enforcement, the investigation and the legal team of the Ministry of the Environment, who have made this commitment, who have that experience, have indicated that this would not have been successful and that the result instead would have been that the court would have dismissed it and it would have gone to the bottom of the pile, thereby further delaying it.

Mrs Grier: If the minister is trying to tell us that his legislation is not strong enough, we on this side have been imploring this minister for five years to bring in amendments to legislation that is not strong enough and we will support it. So if he did not think he had the powers to do something, which I think he did have, all he had to do was ask.

Can the minister explain his complete inaction when the appeal order was appealed to the Divisional Court. I want to make the dates very clear. The Environmental Appeal Board upheld the control order imposed by the ministry, and exercis ing his legitimate rights Mr Straza appealed to the Divisiona 20 MARCH 1990

Court. He had 30 days to file documentation supporting that appeal. No documentation was filed. The ministry at that point, which was the same time the budget was brought down, had the right to go to ask that the court dismiss the appeal.

The Speaker: I appreciate it, but would you come to the question mark.

Mrs Grier: Why did the minister not do that?

Hon Mr Bradley: That is precisely what I have described to the member. Once again, these people who deal with these tribunals, with these courts, who know how they operate, who know how they proceed, knew that they would not be successful if, moving on a technicality, and that is what you are doing, the technicality of the 30-day filing—

Interjections.

Hon Mr Bradley: Oh, the QC now has a different opinion; okay. But the people who actually deal with this on a daily basis stated that they were not going to be able to win a situation such as that, the substantive case, based on a legal technicality. The crown does not have success doing that, and I would have thought that members of the opposition would have been aware of that. That is why they did not move in that direction, because in their judgement it would have been thrown out of court and it would have gone to the bottom of the pile and the delay would have been for ever.

Mr Brandt: My question as well is for the Minister of the Environment. If I might, I want to ask the minister to be helpful in the case of the Hagersville situation. Perhaps I know how helpful he wants to be and how he wants to clarify the inaction of this minister and this ministry with respect to this particular case, but we have, first of all, a series of ministry officials who made statements to the effect that this was a potentially hazardous situation, and when you have 15 to 16 million tires which are inventoried on one site, I would suggest that they were absolutely correct in that assessment.

Second, you have the Treasurer of Ontario, who himself will tell you is virtually infallible and never wrong, who said very clearly that it was a situation that was intolerable. The ninister himself was well aware of that fact, being advised by both his ministry officials and the Treasurer.

Then we have the Treasurer, who comes along and assesses he people of this province a \$5 tire tax, which amounts to nultimillions of dollars every single year to specifically deal—

**Mr Speaker:** Do you have a question?

Mr Brandt: Mr Speaker, I am getting to my question vith situations like Hagersville. Can the minister share with us vhy he sat there and did absolutely nothing, nothing whatoever, until a fire took place.

Hon Mr Bradley: First of all, I find it passing interesting hat the former Minister of the Environment was a member of he government of Ontario for a number of years, and his overnment did the square root of nothing to solve the problem of tires in this province. What was done was that a control order was placed on this particular site by the regional director of the flinistry of the Environment. That control order was substanially upheld by the appeal board of Ontario. The owner of the ite decided, through due process, to appeal this particular case, right he is entitled to in a democratic society; whether people who are interested, such as I, in pursuing environmental matters ike it or not, he has the right to do so.

Our ministry—the member was the former minister and he knows this—has people who deal with these tribunals, people who deal with these courts, not just with the letter of the law but with the general procedures of these courts, and exercised a judgement which said that they would not have been successful in moving on technicalities in an attempt to have this stay removed. I do not like that situation. That situation will not be allowed to happen in the future when amendments are put forward to both the fire code, which is under the auspices of the—

The Speaker: Supplementary.

1530

Mr Brandt: Let me advise the minister that in 1983 in King township, in a situation not dissimilar to the one he did not deal with in Hagersville, there was a company in that particular location, which refused a control order much like Tyre King did in Hagersville. As a result of that control order being refused, the minister of the day, an individual well known to him since it was the minister in 1983, spent \$2 million cleaning up that site and worrying about the courts after the site was cleaned up. Why would the minister not move first and worry about the legal ramifications after?

Hon Mr Bradley: The member brings up, of course, a different instance, where he may have been in the position to do whatever he did on that occasion. Under the amendments we are proposing, the government would have the right in this particular situation, whether it is under the auspices of the fire code or whether it is under the auspices of the Environmental Protection Act, to undertake whatever activities are necessary.

I think the case the member is referring to was a toxic waste site that was leaking at King township. There is a little bit of difference between a toxic waste site—an ongoing discharge, in other words, a toxic waste site that was leaking at King township—and the situation at Hagersville, where in fact there was no ongoing discharge happening at that particular time.

Mr Brandt: If the minister is attempting to tell this House that there was no potential risk associated with the Hagersville property, then I think he had better take another look at the situation.

Again, I would remind him that his own Treasurer called the King facility an environmental menace. The appeal board in 1988 reviewed the original control order and stated: "Tyre King represents a major environmental hazard. There is potential for a very serious disaster." The ministry and the minister were well aware of the fact that they were dealing with a potentially hazardous situation. There is ample opportunity for the minister to act now without the amendments he is now proposing after the fact.

I ask the minister again, how can he explain his government's total inaction with respect to this kind of calamity that occurred in Hagersville, when he in fact could have prevented it from happening in the first place?

Hon Mr Bradley: I guess, since the questions are becoming repetitive, it bears repeating to the member that in fact the district officer, who is the regional director in this case, placed the control order on this particular site, did take action in 1987 and that action was very strong action, which would have had the effect of preventing this fire even though it was a fire that the office of the fire marshal says was caused by arson. It would likely have had the effect of being able to overcome or avoid or reduce the risk of any of the problems that existed at the site.

It is not as though all the tires at that site were accumulated since 1987. Those tires had been accumulating for a number of years at that site when the member had an opportunity to do something about it, and I recognize that he did not. I think it is important, when the question comes from the former Minister of the Environment and from my friend the leader of the third party, a party that was in power for a number of years to be able to solve problems of this kind, that the square root of nothing was done about that particular site.

#### WATER QUALITY

Mrs Marland: My question is for the Minister of the Environment. I expect many members shared my horror upon viewing, last evening, the first part of this week's CBC at Six television series on water quality. This show focused on well-water contamination by faecal bacteria. Imagine being in the position of a young mother, Patti Renders of Spencerville, who must bathe her baby in water that is disinfected with Javex, which carries a label warning to avoid exposure to skin and eyes. This is the 1990s in Ontario; it is not the 1950s in the Third World.

To make matters worse, Mrs Renders cannot even get advice from either his ministry or the Ministry of Health as to how much chlorine she should bathe her baby in. My question is, does the minister condone the statements of his official, Mr McIntyre, that Spencerville residents' fears are exaggerated, that information on disinfecting water is readily available and that there is nothing to worry about if drinking water is only bacteriologically contaminated?

Hon Mr Bradley: The Ministry of Health is very pleased, I think, to provide the kind of information that the member is looking for and that the people would be looking for in terms of the decontamination of any wells that might exist anywhere in the province of Ontario and the amount of material that is used as a disinfectant, just as you have disinfectants that are used in municipal water supplies and disinfectants that can be used in individual wells across the province of Ontario. I am sure that this information can be provided by the health authorities in the area, and indeed that it will be provided by those people.

Mrs Marland: Spencerville has been trying for seven years to obtain Ministry of the Environment assistance to build a sewage treatment system and to install new wells. Within the last year, the area has seen a doubling of cases of gastro-intestinal disease, which is linked to the drinking water, contaminated with coliform bacteria. This is a disease common in the Third World. As usual, it takes a crisis to bring any action by this now you see him, now you don't Minister of the Environment. It is the same story as the contamination of the drinking water in Elmira.

In spite of the fact that he says the information is available, does the minister accept that his staff person's, Mr McIntyre's, statement is that it is standard for a community to have to wait seven years to obtain the money needed to correct well-water contamination and that the residents are none the worse off having to wait? He said, "Why is it suddenly a problem, because they know about it?" I suppose if they do not know about it, it is not a problem.

Hon Mr Bradley: The water problems at Spencerville came to light, as the member may be aware, in 1982-83, as long ago as then. Spencerville's water problem was declared eligible for provincial assistance, for provincial funding in 1983. As the member may be aware, because of local ground conditions the consultant recommended that a community sewage system be

installed before drilling new, deeper wells, because the blasting for the sewage treatment plant, for instance, would have the effect of wrecking those wells. The project went through the environmental assessment process.

My ministry has, at every step of the way, had money available to pay 85 per cent of the cost of the Spencerville project. My ministry had money available for Spencerville in the year just ending, but the community did not have its engineering plans ready. That is normal. They have to go through the engineering plans, do the engineering work first, before they can implement the project. Indeed, the local council, at a meeting with my staff, agreed that construction could not proceed until this year. The community now has plans and is ready to proceed. My ministry has allocated 85 per cent of the portion of that cost and has already done so.

Mrs Marland: I guess we can assume by the answer that he agrees with his staff person that it is not a problem if water is contaminated; that is no problem. Anyway, drinking water is not a problem in eastern Ontario only. We all know about the ministry's terrible botching of the contamination of water in Elmira and communities downstream with N-nitroso dimethylamine. The people in the affected communities have been given bottled water to drink while they wait for the construction of a new water pipeline, yet this minister knows there is insufficient testing of bottled water, since his Liberal government supported, at second reading, my private member's bill, Bill 61, which would make bottled water subject to the same testing as municipal water supplies.

My question is this: Will the minister promise to take action to ensure that my bill becomes law as soon as possible and that incidents such as the recall of the Perrier water due to benzene contamination are a thing of the past? If people cannot drink their well water or their municipal water, what can—

The Chair: Minister.

1540

Hon Mr Bradley: The member must be blushing to ask a question like that. Clearly what we should be ensuring in the province of Ontario, and what our goal is, is to provide communal water that is acceptable and safe for the people of this province. To suggest that we should be involved in testing bottled water in this province, which is clearly within the mandate of the federal Department of National Health and Welfare, is unbelievable and I cannot believe that she is actually asking this particular question.

In regard to the Elmira situation, I must say that she, from her party, should not be asking questions about that because it was this government which in its drinking water surveillance program detected DNA and shut down those processes at Elmira which were producing that particular substance, over the objection of a lot of people including many of the employees there. Since then, in the river, there have been nondetectables found in the water.

#### TIRE FIRE

Mr B. Rae: Again to the Minister of the Environment: The minister has admitted, or at least the facts admit, that it took two years for the Environmental Appeal Board to deal with the appeal from Mr Straza and that since 1989 Mr Straza has filed absolutely no documents in the court, and his government has not responded to that at all.

to ask the minister this simple question: Is he prepared to accept any responsibility at all for the fact that this government was prepared to raise millions of dollars in taxation for the citizens of this province to deal with a problem, but was not in fact prepared to enforce the law? Is he prepared to take any responsibility for that or indeed for what happened at Hagersville?

Hon Mr Bradley: I have indicated already to the member what action was taken by the Ministry of the Environment at Hagersville previous to this fire. The member makes reference to blaming the opposition. I just want to put it in context for members of the House who perhaps just could not remember the questions that were asked or this matter being raised.

There are occasions when he can get up in this House and say, "I told you so," because he raises a number of issues, and there are a wide variety of issues that exist in the province of Ontario and any other jurisdiction. I am simply pointing out that here he is, he comes back from Europe, he shows up here with all the answers now in 1990, and I did not hear any of the questions about this. I did not hear any of the proposals previous to that, yet he touts himself—I think he has the sensibilities—as being up to date on all environmental issues, interested in them and pursuing them. Indeed, he does in many cases, but he did not in this specific case and frankly not many other jurisdictions were.

This government had already committed over \$1 million to projects which were involved in recycling—

The Chair: Thank you; supplementary.

Mr B. Rae: The minister has raised \$30 million and he is prepared to commit himself to \$1 million. That is a 30-to-1 ratio. He should not tell me he is doing anything.

My question to the minister is this: Is he prepared to table any and all legal opinions and memoranda given to him by various officials with respect to the Hagersville matter from the time he assumed responsibility as Minister of the Environment in 1985 until today? If he is so great, he should tell us about it.

Hon Mr Bradley: I have stated for the member the circumstances that existed at the time, the action that was taken by he ministry through the control order and the reasons why it proceeded in the direction it did. We also have now amendments that are being proposed, for the Legislative Assembly to leal with, and I am sure the member will be pleased to support hose amendments which are designed to allow the Ministry of he Environment, even where there is a stay in effect, to go in when it believes—

Mrs Grier: There is no guarantee you will. You had the ower to act and you did not.

Hon Mr Bradley: No, that is not true—to go in when the finistry of the Environment believes there is a problem that istifies it, to do the work and to undertake the action, taking a hance that it can cost the government money but knowing that here will be an opportunity to try to recover those funds.

#### ST BRUNO CATHOLIC SCHOOL

Mr Jackson: I have a question for the Minister of the Enironment. The minister would be aware, I am sure, of the execut case that has been reported with respect to the situation t St Bruno elementary school here in Toronto.

The health problems that the children are experiencing have een well documented, with bleeding noses, dizziness, sore yes and nausea. Even more serious are the cases of one third of the female teachers on staff who have cancer and tumours; seven have had miscarriages.

The minister would also know that the ministry tested this site in 1988 and gave it a clean bill of health. It raises some questions because it now would be apparent that either there is a problem with the credibility of the ministry's testing ability on this site or else the regulations that are guiding the testing are wholly inadequate to ensure the safety of the children and the staff at that site.

What specifically will the minister be doing with respect to the contaminated site at St Bruno school?

Hon Mr Bradley: The member asks a fair question. We will be assisting the Ministry of Labour and the Ministry of Health. Particularly, the Ministry of Health works through the local medical officer of health in Toronto and the board of education. Any requests that have come to us—and the member may know there was a recent meeting held—for any specific kind of testing to assist the Ministry of Labour, to assist the medical officer of health and to assist the local board of education, we are prepared to undertake any of those activities that they ask for.

Mr Jackson: What I am hearing is the minister suggesting that he is waiting for people to contact him. I must say there is about as much confidence in his response as there is confidence in the ability of his ministry to do testing at this site to date.

There are four ministries involved or which should have legitimate concerns. The Ministry of the Environment, the Ministry of Labour, the Ministry of Education, these ministries are all involved and concerned, as is Health, with this site problem. My question to the minister is, how come there is such little contact that there is no lead ministry emerging on this site? Everybody is offing the problem to somebody else. The minister's assistant, David Oved, said to the Toronto Star, and I quote directly: "'It's my understanding that this case falls within the Labour ministry's jurisdiction,' he said. 'Taxpayers don't tend to like to pay for two different organizations to do the same thing." That was from the minister's staff.

The Speaker: And the question?

**Mr Jackson:** The question is simply this: The public is not concerned about paying twice to have this done. They are waiting for at least one lead ministry of the government to take control of this serious health risk and to make a single—

The Speaker: Order.

Hon Mr Bradley: In terms of occupational health and safety, as the member would know, the Ministry of Labour in fact does have the lead in that regard. In meetings that have taken place, what we have already indicated as a ministry is that we are prepared to assist in any way possible that our ministry can be helpful.

I know that David Guscott, our director, central region, attended a public meeting yesterday, for instance, to discuss a study to find the source of health problems in the school. That study, which will be as a result of the actions of the local board of health, the Ministry of the Environment and the Ministry of Labour, is also being submitted to the people who are there in the school for their approval and their comment so that they feel that we have in fact covered all of the bases.

We have offered this service to people and will continue to offer this service to people and to undertake whatever activities are necessary.

#### CAREER OPTIONS FOR WOMEN

Mr Neumann: My question is for the Minister without Portfolio responsible for women's issues. Now that pay equity is being implemented across Ontario, the long-standing problem of low wages paid to female workers is being corrected. However, pay equity addresses only part of the problem. A high percentage of women are clustered in a few job categories. These job categories tend to be low-paying and are mostly in the service sector.

I would like to ask the minister to indicate what the government is doing to improve career options for women.

#### 1550

Hon Mrs Wilson: Today we find that women are entering the workforce at a very high percentage, and in fact in the next decade, the 1990s, women will make up 50 per cent of Ontario's workforce. We have in Ontario a vital need for skilled workers. The entry of women into nontraditional careers is vital to the economy of Ontario as well as to the economic equality of women.

Sex role stereotyping limits career opportunities and education decisions that women are currently making. My ministry, the Ontario women's directorate, has been working to provide awareness about sexual stereotyping around the province. We are doing it by a number of means. First, we have videos, brochures and training manuals which are available to trainers and educators. Second, we are working on new program development at the local level, which is supported by the consultative services branch of the Ontario women's directorate.

Third, we have a grants program which is used at the local level to development awareness about career opportunities and nontraditional roles for women. We have nine projects throughout the province and this year, 13 projects throughout the province, which are role-modelling programs.

Mr Neumann: In our community, the University Women's Club has produced a membership directory to provide role models for young women looking at various career options. This has proven to be quite successful in the schools.

However, there is still a hesitation on the part of many young women to consider a career in areas which have historically been male dominated. Societal attitudes will have to change before this problem can be eliminated. What is the government doing to start this process with young girls within the educational system?

Hon Mrs Wilson: In January of this year we released a new video. It is entitled More Than Just A Job. We want to use that video to encourage young women and young men to make their education and career choices not just on stereotypical attitudes about what is women's work or men's work, but indeed on what are their talents and their special abilities and interests.

We have to change attitudes. Today's young men and women are still making career choices based on outmoded attitudes about men's work and women's work. Today's women can expect to be in the paid labour force on an average of 30 years, and many women will be responsible for supporting themselves and their families. We want women to make vocational decisions that take those realities into consideration.

The new video is designed for use in classrooms in grades 7 to 10, an age when teenagers are making those decisions. We are providing posters to schools around the province.

#### **AUTOMOBILE INSURANCE**

Mr Kormos: I have a question for the Premier about Bill 68, his auto insurance scheme. He knows that what this does is forgive the payment of the three per cent premium tax by the auto insurance industry; he knows that it forgives the auto insurance industry's payment to OHIP of that debt obligation—premium tax, \$95 million out of the taxpayers' pocket; OHIP, \$46 million. It also reduces accident benefits by some \$823 million. He should know that the Insurance Bureau of Canada says that for the third quarter of 1989 the property and casualty insurance industry in Canada made record profits, the highest profits in eight years, profits for the third quarter alone of \$317 million.

On top of that, the minister tells us—and the Premier knows this as well—

Mr Speaker: You started a question here.

Mr Kormos: —that drivers are going to face premium increases by as much as 50 per cent. How can the Premier justify this kind of payout to the insurance industry when it is making the highest profits in eight years, \$317 million for the third quarter alone? All this is doing is making it a very profitable industry.

Hon Mr Peterson: My honourable friend puts forward a number of facts and my understanding is, based on the committee and his contributions thereto, that his facts are probably erroneous. So I could not stand in this House and substantiate them.

Mr Kormos: That was a real big one. The profit figures came from the insurance industry's own magazine, the Canadian Underwriter. Let me tell the Premier this: interestingly—and he would know far more about these things than I do—there are these little subscription services for stock market players. They are tout sheets for various forms of stocks. Here is one called the Investment Reporter, published out of Toronto. It talks about Lonvest Corp, which happens to own Wellington Insurance Co. This is what it says: "Lonvest's insurance divisions are pressing the Ontario government for a no-fault insurance program in Ontario. The company feels such a program will provide more stable premiums and lower payouts."

This company recommends Lonvest as a good investment. As a matter of fact, it rates it about as good as you could possibly get. It says that the profit picture has never looked better. That is entirely due to what the Premier is doing as a result of his insurance scheme. How can he justify the payout to the insurance industry on the backs of injured victims when it is a profitable industry to begin with and it is going to injure more victims, more drivers and more taxpayers?

Hon Mr Peterson: The member knows there have been extensive discussions in committee and indeed in this House; there will continue to be in this House and he will have an opportunity to put forward his views. I gather he has done that already in very colourful and not always constructive ways. He certainly achieved a lot of attention for himself, whether that is the kind of attention he wants or not.

#### HOSPITAL SERVICES

Mr Eves: I have a question of the Minister of Health. Sho will be aware, of course, of the case of Stella Lacroix, who diec on 10 October 1989 after Dr Nesdoly and his staff tried frantically for 10 hours to save her life. She is also aware that in this Legislature on 12 October, some two days later, the Premie

stood in his place and said there was a critical care hotline system in place in Ontario and he could not understand for the life of him why it was not used in that particular instance.

We all know now, of course, that there was no such critical care hotline system. Is it in place throughout the province today?

Hon Mrs Caplan: As the member opposite knows, the question he has asked is filled with inaccuracies and inaccurate facts. He knows as well that we announced in June 1989 that we would be establishing funding for a new series of regional critical care hotlines across the province and at that time, when this \$18-million program was announced, he stood in his place and said it was not necessary to do it, that everybody knew whom to call.

I would say to him today that in fact we are making progress, that we have the system in place in central-west region—it is operated by Chedoke-McMaster Hospitals; it is called REACH—and all of the other areas are under implementation. We have seconded a staff person from the Working Group on Critical Care Committee, Vickie Kaminski, and it is moving ahead.

Mr Eves: Perhaps I should refresh the minister's mind about some facts. The facts are, the minister announced in June 1989 that a critical care hotline system would be in place in the city of Metropolitan Toronto by 1 July 1989. The facts are, in Stella Lacroix's case, the minister and the Premier repeatedly, under questioning in this House, denied that a critical care hotline did not exist. Even her own Working Group on Critical Care told the minister it did not exist. The coroner's jury told her it did not exist, and later, on 11 December 1989, she reannounced the critical care hotline she announced in June 1989 and said that she would now establish seven regional hotlines.

The answer to the question I asked is that one out of the seven is now in place, and in Thunder Bay, Sudbury, London, Kingston, Ottawa and Toronto, where it was supposed to be operational last 1 July, over 80 per cent of the people in this province still do not have the hotline. The minister calls that progress. Why is it not in place for these Ontarians right now?

Hon Mrs Caplan: I know that the member opposite knows the facts and I am concerned that he is not portraying them correctly. We announced that as of 1 July 1989 there would be an integrated trauma program available in Toronto that was in place, and it has been in place since July 1989. I can even give the phone number. It is area code 416, 480-4444. That is what we said would be in place 1 July. That was in place.

What I tabled here in the House was a letter from the Toronto General Hospital. It has an emergency number in its emergency room. It has been in place for a decade. He knows that and he knows as well that while it is not perfect, it is in place and it has been in place for some time.

#### 1600

There is a central Toronto resource registry. It began being phased in in June 1988; 21 Metro emergency departments are computer-linked to this registry. It is sponsored by the Hospital Council of Metropolitan Toronto. Bed registries are being put in place in many of the other centres across the province. They have been—

The Speaker: I thank the minister for—

Interjections.

The Speaker: Order.

**Hon Mr Scott:** How much do we have to pay to call your number on 12 May?

**The Speaker:** I did not recognize the Attorney General for a question.

#### AGRICULTURAL INDUSTRY

Mr D. W. Smith: I have a question of the Minister of Agriculture and Food. Lately I have been speaking with a pork producer in the riding of Lambton and he is concerned about the breeding technology that is available to the pork producers and swine breeders in Ontario. I am sure that everyone will know of the advancements that have been made in artificial insemination technology in the cattle industry and how much it has helped the cattle industry. I wonder what his ministry is doing or is able to do to enhance the quality of Ontario swine. I wonder if he could answer that question for me.

Hon Mr Ramsay: I am very happy that the member brought up this question, because I, like him, share the concern for Ontario pork production in this province and the tremendous record of breeding that our Ontario producers have had in the past. As you know, some of the finest animals in the world in pork are produced in Ontario.

However, we can always do more. This is why the ministry recently announced a four-stage developmental program, the Ontario artificial insemination for pork program. My ministry is going to contribute \$100,000 this year to the association, but besides that we are giving a special grant of \$175,000 to take care of an ongoing deficit to put the organization on a firm footing. As a condition of this, we are asking the association to develop a four-year business plan within the next six months and also asking the association to develop a marketing strategy in order to increase the usage and volume of product. I am confident that this assistance is going to put pork AI in the forefront of the world technology.

Mr D. W. Smith: I want to thank the minister for helping in some way with the swine industry. Having worked in the AI industry in cattle about 25 years ago—it does not seem that long—I know what it has done to the cattle industry and I am sure it will help the pork industry.

Since we are discussing countervail with the United States over a lot of different issues, could the minister enlighten us a little bit more on whether this may have any effect on the trade agreement? Also, could he bring us up to date on any movement on this countervail issue with the United States?

Hon Mr Ramsay: The member brings up just one of the challenges that the US is mounting against Canadian agriculture. Our traditional marketing board system is being challenged, our income stabilization program and our crop insurance programs are all being challenged.

We do not have to be defensive about our domestic programs, because our programs in this country do not interfere with international trade regulations, they do not cause trade distortions, nor do they create an unfair trading advantage to our country. But it is very ironic that the US, while challenging our domestic programs that do not interfere with international trade, is at the same time increasing its export subsidies through its export enhancement program, which truly does distort international trade.

Specifically, the member talked about the countervail action against Canadian pork exportation into the US. I was happy Ontario was able to participate in December, along with Alber-

ta, Quebec and the federal government, in challenging that countervail decision that was made against our country. We anticipate that by July we will have a decision rendered in Washington.

#### CARDIOVASCULAR CARE

Mr D. S. Cooke: I have a question for the Minister of Health. I am quite surprised that in the time since she returned from India, the minister has not seen fit to make any kind of a report to the people of my community on the case of Joel Bondy, the 23-month-old baby who died because of the incompetence of this ministry to come to grips with the problems of people accessing cardiac care in this province. I am surprised that from the time the minister returned from India she has not seen fit to make any kind of report to the people of my community, who are still wondering and demanding to know what were the contributing factors to why a 23-month-old boy who needed to have surgery had to wait six months. Is it not true that the major contributing factor was the shortage of nurses at the Hospital for Sick Children, which the minister has been aware of and studying to death and not done a bloody thing about since she has been minister?

Hon Mrs Caplan: As a mother and parent, I would say to the member opposite that I do not think anyone could contemplate the loss of a child. Certainly nothing anyone could say could comfort a family in that loss.

I would say to him that the coroner—and I have a lot of confidence in the judgement of the coroner—determined that everything that could have been done, was done in that particular case and determined not to call an inquest.

I would say to him, however, that we have taken great strides in ensuring that children have access to the services they need when they need them. In fact, we have established a new paediatric cardiac registry system to take some of the pressures off downtown Toronto and allow the Sick Children's Hospital to focus on what it does best, which are often the most difficult and unique cases. We know that some 50 per cent of the cases referred to Sick Children's Hospital come from outside Metropolitan Toronto. I am pleased to tell the member that the leadership being shown by Sick Children's in working with the Childrens' Hospital of Eastern Ontario and the children's hospital in western Ontario, I believe, will ensure that children have access to services in the most appropriate location when they need them.

Mr D. S. Cooke: I hope some day that will be the case, but it was not the case for Joel Bondy. The minister has not explained to this Legislature or to the people of my community, who are extremely upset, concerned and have absolutely no confidence in her or her health care system because so many people in my community have died while they were waiting to get access to health care in this province. There have been five people so far this year from my community who have died on waiting lists.

I would like to ask the minister, when is she going to give a full explanation as to why Joel was labelled as being elective for so long, why he had to wait six months and why the surgery was cancelled again at the last minute?

The Speaker: Minister.

Mr D. S. Cooke: It is fine for her and the coroner to say that everything that could be done was done, but the fact of the matter is he did not get surgery, so everything that could be done was not done.

The Speaker: Order. Those are three questions.

Hon Mrs Caplan: I would say to the member opposite that we are seeking the very best advice we can in the province to ensure that people have access to the services they need when they need them and that we are getting the very best of medical judgements as well. I want to tell him that the leading cardiac surgeons in this province, Dr Tyrone David, Dr Wilbert Keon, who was chairman of that committee, Dr Neil MacKenzie, Dr Tom Salerno and Dr William Shragon, an expert panel, came together and advised us on how we could develop the kind of network which we have put in place.

Mr D. S. Cooke: You mean the one that was promised two years ago.

Hon Mrs Caplan: No; in fact, this builds on the very good advice we received when we looked at St Michael's Hospital so that we can ensure that people have access.

I can tell the member that we have seen real progress. That does not mean everything is perfect yet. This is a very human system, humans caring for humans, because we want to make sure they have the services they need, but we are making progress and he should be able to tell the people right across this province that—

The Speaker: Thank you.

#### TORONTO AREA TRANSPORTATION

Mr Cousens: A question to the Minister of Transportation: Will the Minister of Transportation advise this House of plans under way in his ministry regarding the purchase of Union Station? Second, would he advise the House of any arrangements that have been made with the Canadian Pacific Railway company to provide commuter rail services on its cross-Metro freight line?

#### 1610

Hon Mr Wrye: In terms of Union Station, I can confirm to the honourable member only that, as he knows, because I am sure he read it in the press, there have been and are discussions under way in terms of that matter. There is, of course, at this point nothing to report on that matter.

In terms of the rail lines, we in the ministry are currently examining the whole issue of the rail lines that we now have within the greater Toronto area, within Metro. Those discussions and that analysis are ongoing not only within my ministry but under the leadership as well of the deputy minister for the greater Toronto area, Gardner Church.

Mr Cousens: The air is thick with talk of forthcoming transit announcements from his ministry and I want to remind the minister how urgent and imperative and how absolutely essential it is that the government take a lead role in Metro transportation strategies. What are the government's transportation plans for the greater Toronto area? Are we going to get the separate subway, the Finch loop, the CP line? What are his plans?

Hon Mr Wrye: Our plans will be announced in the not-too-distant future. I think we have a very exciting series of initiatives, which I know my good friend opposite and the members of his party will be very supportive of. I think within our ministry and within the government we have worked very hard to develop some initiatives which will ensure that Toronto will retain its lead in terms of being one of the most dynamic public transportation systems anywhere in North America.

#### **MOTIONS**

#### PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Ward moved that, notwithstanding standing order 94(h), the requirement for notice be waived with respect to ballot item numbers 35, 36, 37 and 38; and that the order of precedence for private members' public business be amended as follows: ballot item number 40, Mr MacDonald; ballot item number 62, Mr Velshi; ballot item number 96, Miss Roberts.

Motion agreed to.

#### **COMMITTEE SITTINGS**

Mr Ward moved that the standing committee on the Ombudsman be authorized to meet on the afternoon of Wednesday 21 March 1990 and on the morning of Thursday 22 March 1990.

Motion agreed to.

#### **COMMITTEE SUBSTITUTIONS**

Mr Ward moved that the following substitutions be made: on the standing committee on general government, Mr McGuigan for Mr Sola; on the standing committee on resources development, Mr Sola for Mr McGuigan.

Motion agreed to.

#### **COMMITTEE BUSINESS**

Mr Ward moved that the orders of the House of 20 December 1989 appointing the select committee on constitutional and intergovernmental affairs and the select committee on energy be amended by inserting "subject to the agreement of the House leader and the chief whip of each recognized party" after "concurrently with the House."

Motion agreed to.

Mr Ward moved that the order of the House of 20 December 1989 appointing a select committee on energy be amended by striking out "March 19, 1990" in the 24th line and substituting "April 2, 1990" therefor, and that the select committee be authorized to meet during the weeks of 18 March and 25 March 1990 to consider its interim report to the House.

Motion agreed to.

#### **PETITIONS**

#### TRUCK TRAFFIC

Mr D. W. Smith: This petition is to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. This is concerning constituents in the riding of Lambton who are concerned about county road 33. They are petitioning to top truck traffic along that road. It is signed by approximately 5 people, and I have affixed my name to the bottom.

#### **RELIGIOUS EDUCATION**

Mr Reycraft: I have a petition addressed to the Legislative assembly of Ontario. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legisative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament f Ontario as follows:

"The Ministry of Education has made evolutionism a comulsory core unit in senior OAC, previously grade 13, history nd science. Since evolutionism and creationism are completed cts in the past, neither can be proven nor disproven. In fairness to all parents and students, equal time should be given in presenting the underlying assumptions of each. Through the two-model approach, the skills of critical thinking such as recognition of bias, awareness of society's influence on one's bias and the awareness of assumptions can allow students to examine their own belief system and better appreciate an opposing view."

The petition is signed by 148 people in Mount Brydges and area, and I have affixed my signature.

#### **REPORTS BY COMMITTEES**

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Callahan from the standing committee on regulations and private bills presented the committee's second report.

The Speaker: I think the standing orders allow you to make a brief statement.

**Mr** Callahan: I just want to thank the members of the committee and the staff in carrying out a very excellent task. We look forward to working with them in the future.

#### STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr Philip from the standing committee on public accounts presented a special report of the Ministry of Housing contract with Dino Chiesa and moved the adoption of its recommendations.

The Speaker: Does the member wish to make a brief statement?

Mr Philip: This is just one of several excellent reports that I will be tabling as a result of the work of the committee during the recess. In this particular report, our committee has made several recommendations in an effort to ensure that all applicants to the Ontario civil service receive fair and equal treatment, that the Management Board of Cabinet guidelines and directives are adhered to at all times and that the records of hiring process are prepared to document decisions under all circumstances. Hopefully, this report will be carefully studied by public servants in all ministries, not just the Ministry of Housing, from which this particular report stems.

On motion by Mr Philip, the debate was adjourned.

#### SELECT COMMITTEE ON EDUCATION

Mr Campbell from the select committee on education presented the committee's third report and moved the adoption of its recommendations.

The Speaker: Does the member have a brief statement?

Mr Campbell: I would like to commend the members of the committee for their very excellent work in preparing this report and the staff, who spent a lot of time in trying to keep up with the members making the recommendations. I also would like to give special thanks to the member for Eglinton, who preceded me as chair and who did some very fine spadework in starting this report out.

On motion by Mr Campbell, the debate was adjourned.

### STANDING COMMITTEE ON GOVERNMENT AGENCIES

Mr Sterling from the standing committee on government agencies presented the committee's report on agencies, boards

and commissions and moved the adoption of its recommenda-

The Speaker: The member may wish to make a brief statement.

1620

Mr Sterling: Under this report the committee completed reviews of the following agencies, boards and commissions: the Ontario Environmental Assessment Advisory Committee, the Review Board for Psychiatric Facilities, the Royal Ontario Museum board of trustees, the Stadium Corp of Ontario Ltd, Ontario French Language Services Commission and the Rent Review Hearings Board.

The committee offered a variety of recommendations with a view to improving the function of the above-mentioned ABCs, save for the Ontario French Language Services Commission, which ended its three-year mandate in November 1989. A minority opinion was submitted on behalf of the Progressive Conservative members of the committee with regard to the French language services commission.

On motion by Mr Sterling, the debate was adjourned.

### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr Pelissero from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 68, An Act to amend certain Acts respecting Insurance.

The Speaker: I am just wondering. There has been a motion put in the House so I will just say, shall the report be received and adopted? Then I will recognize the government House leader.

Hon Mr Ward: I expect there will be considerable debate on the adoption of the report and I would like to seek unanimous consent to divide equally the time remaining in the afternoon for the debate on this report up until 1750 and that there be a five-minute bell at 1750 and that the vote take place at 1755.

The Speaker: There is, I understand, unanimous consent to divide the time equally among the three parties and to vote at 1755. We have a motion. Does anybody wish to make any comments on the motion?

Mr Kormos: I sure do. Let me follow through, first, with some of the questioning that took place during question period, because there was a little bit of an area canvassed there that warrants some expansion.

Let's take a look at what has been happening since this government has presented this bill and rammed it through the committee and now seeks to ram it through this Legislature. One of the things that we have learned—and we learned it from, among other things, the insurance industry itself, through its own in-house journal, the Canadian Underwriter—was that in 1989 the insurance industry in Canada was very healthy and, quite frankly, wealthy, profitable indeed. As we heard, the Premier, during question period, preferred not to believe these facts and figures because he would like for the world to be different from what it really is. He would like for the world to

be the result of the machinations of him and his colleagues in the Liberal Party.

The fact remains that the insurance industry's own report, as revealed by the Insurance Bureau of Canada, shows that for the third quarter of 1989 it was very profitable indeed, showing profits of \$317 million, so profitable that these little stock market tout sheets tout the insurance industry as being a very wise investment. Maybe the reason the Premier left here was to get a call in to his broker before the market shut down for the afternoon. I am sure, with his inside track, he did not have to wait for me to tell him about Lonvest and the fact that as a result of no-fault insurance being rammed through by the Liberal government, insurance companies are going to enjoy profits that they have never dared dream of. They are going to enjoy those profits by dipping into the pockets of taxpayers across Ontario, by dipping into the pockets and picking the pockets of drivers across Ontario, and on the backs of innocent, injured victims.

Let's take a look at what this legislation does. This legislation forgives the payment of a whole bunch of taxes by the auto insurance industry. The government knows that. What it does is it eliminates the three per cent premium tax that the auto insurance industry in Ontario has been paying. In the first year alone that is going to amount to a taxpayer gift to the insurance industry of \$95 million. That is \$95 million plucked, picked, robbed from the pockets of each and every taxpayer in the province, a \$95-million gift to the auto insurance industry, an industry that is—

Interjections.

The Speaker: Order, please.

Mr Kormos: —making profits, quite handy, quite healthy profits. Let's add to that the \$46-million taxpayers' gift to the insurance industry by way of forgiving it its debt to OHIP, another \$46 million from taxpayers' pockets.

That first gift, that first windfall—because this is not the big one; this is just the beginning; this just paves the way—amounts to \$141 million in the first year alone, a \$141-million gift to the auto insurance industry, an industry which proved itself in the past to have been profitable and proves itself in the current times to be profitable.

That is not the end of it, because there is more: this scheme is not going to reduce auto insurance premiums. We know that. The minister knows that because the minister has told the drivers of Ontario that once this legislation is passed, premiums are going to increase by as much as 50 per cent. That is the second windfall for the auto insurance industry.

Do members know what is the saddest part? There is nothing in this legislation that guarantees that drivers are going to get insurance coverage. Do members know what? Mr Justice Osborne of the Supreme Court of Ontario and Don McKay, the general manager of the Facility Association, have said this: "It this legislation is passed, more and more drivers, good drivers are going to be forced into Facility Association. They're not going to be able get regular insurance coverage." The Liberals who are promoting this legislation know that and they do no care.

The people who are going to be forced into Facility As sociation are not going to be bad drivers; they are going to be good drivers. They are going to be senior citizens, they are going to be farmers, small business people, unemployed people and women. These are the sort of people that Mr Justice Os borne and Don McKay, the general manager of Facility As

sociation, say are going to be forced into Facility and are not going to receive coverage from regular insurers.

These are the people, the people who can least afford it, who are going to be charged premiums in the thousands and thousands of dollars a year. Senior citizens, small business people, women, farm workers, the unemployed are going to be denied regular insurance coverage and forced into paying premiums that are literally in the \$2,000, \$3,000, \$4,000 or \$5,000 range. That does not even close to reducing or even stabilizing the insurance premiums here in the province of Ontario, not even close.

Let's take a look at what this legislation does to innocent injured victims, because there has been a big lie that has been perpetrated by the promoters of this bill, by the promoters of this legislation. The big lie is that somehow more money is going to be spread out among more people, and that is just not true. The insurance industry knows that it is not true.

The little publication called the Investment Reporter knows that it is not true, the one that recommends that you buy auto insurance stock now. What it says is that as a result of this legislation, the auto insurance industry is going to be required to pay less out. There is less money going to be paid out to injured victims.

Let me tell members how that is going to happen. The real issue here is the threshold. It has nothing to do with no-fault. This insurance has nothing to do with no-fault. That name was plucked out of the air because it was an attractive name, it was an attractive principle that the New Democratic Party has been fighting for for decades, that we have had in this province for more than a decade and that we have been critical of because the rates paid out as compensation under the no-fault schedules have been inadequate for years. Among other things, they have not been indexed, which means that with the mere passage of time, cost of living and inflation have eroded them to the point where they have become somewhat insignificant.

That does not mean that insured persons have not had to fight to get those no-fault benefits and it does not mean that they are not going to have to continue to fight and litigate and hire lawyers and sue and use the courts to obtain what is rightly theirs. But the threshold, because that is what this legislation is really all about—the threshold. It is a guarantee; it is about making sure that innocent injured victims do not receive compensation. It is the antithesis of insurance. It is about making sure that they do not get compensation.

#### 1630

Let me tell members how it works. What it means is that if you do not pass the threshold, if you do not pass the definition of the degree of injury, you cannot be compensated for pain and suffering or for loss of enjoyment of life. I will tell members what that threshold is: you have to be dead or damned close to it before you pass the threshold. That is how onerous that threshold is. Indeed, it is the most onerous, the most draconian, the most rigorous threshold, the most conservative threshold that any insurance industry has ever designed.

How is it going to work? Well part of the big lie, the big myth is that this threshold is designed to keep out the trivial, the modest, the insignificant injuries, the ones that according to the mythmakers clog up the system and cost the insurance industry undue amounts of money. We have heard of them in passing and we have heard of them during the course of anecdotal exchanges: the sprained wrist, the sprained ankle, minor bruising. The myth is that this is the type of injury that is being excluded from a compensatory system.

The truth is far different. The truth is that broken bones are going to be excluded from compensation. The truth is that broken legs, broken arms, fractured ribs, fractured skulls, broken backs will be excluded from any compensatory scheme for pain and suffering and loss of enjoyment of life. If the Liberal members of the standing committee on general government did not know it at the beginning of the committee hearings, they ought to have known it by the end, because witness after witness told them so.

Let me tell members about those committee hearings, because the Liberals did not want to have committee hearings. The Minister of Financial Institutions, the guy who at the request of the Premier—and let's not make any mistakes about this, this is Premier David Peterson's legislation. It is the Premier who has the cosy relationship with the insurance industry; it is the Premier who is calling the shots on this one, and it is the Premier who promised in September 1987 that he had a very specific plan to reduce auto insurance premiums and has not been able to deliver because it was not a plan.

It was the furthest thing in the world from a promise because a promise is something that you intend to keep. When you make a promise, it is something that you have every good intention of following through on. When the Premier said in September 1987 he had a very specific plan to reduce auto insurance premiums, the furthest thing in the world that it could ever be called is a promise.

What we have got here is a scheme that makes sure that at least 95 per cent of innocent injured accident victims will receive not a penny compensation for pain and suffering or loss of enjoyment of life and that premiums none the less are going to go up and up, for some people as high as 50 per cent. For many others there simply is not going to be insurance coverage at all. They are going to be forced into the Facility Association. Those are the ones we talked about: the senior citizens, the unemployed, the women, the small business people. These are the ones who are going to be forced into Facility, paying thousands and thousands of dollars.

We are talking about a threshold that, as I say—and the Liberals know it—is not going to just exclude the trivial, modest, minor injuries but is going to exclude serious injuries with significant impact on innocent victims' lives, and the Liberals would not listen. I will tell members, lawyers came before the committee to tell the Liberals that the bill was no good, to tell the Liberals to abandon it, to tell the Liberals that this bill punishes innocent injured victims of drunk, careless, negligent and reckless drivers.

The lawyers were there, no two ways about it. I could tell members this. Under this scheme that the Liberals propose, there will be no shortage of work for lawyers. Osborne himself told us that in the Osborne inquiry when he said—and I should tell members this; well, they know this—that American jurisdictions that adopted these types of threshold schemes back in the 1970s have been abandoning them. The most recent one—members read about it in the New York Times—was the state of New Jersey. They said, "No, threshold doesn't work." They have abandoned it along with others who are recognizing that it does not reduce premiums, that premiums continue to go skyhigh and that innocent injured victims get hurt because they do not get compensated.

I tell members that what Justice Osborne found out from those American jurisdictions is that when they implemented threshold systems like the Liberals want to impose upon the drivers and victims of Ontario, there was more litigation; more people had to go to lawyers; more people had to sue and use the courts. They had to sue their own insurance company to collect their no-fault benefits.

The amount of litigation with first-party insurers increased not just double, not just triple, but to the point where whole law firms were developed dealing with first-party litigation. That is exactly what is going to happen in the province of Ontario, because that is part of the myth too, the big lie that there is going to be less litigation.

Let's make one thing perfectly clear. When it comes down to litigation, we know it is the insurance industry with its money and its ability to hire high-powered lawyers that has the upper hand.

We know that there is some litigation now. My goodness, it might be that as high as three per cent of personal injury claims have to be litigated. Let's think for a minute why. The reason they have to be litigated, the reason people have to go to court and sue is because the insurance companies are refusing to pay out; the insurance companies are refusing to compensate injured people.

That is why these instances end up in court, not because people are inherently litigious or because lawyers have some sort of eagerness to be involved in the system. In any event, what we know is this: More dollars than ever will be spent on legal costs and litigation if we let the Liberals ram this bill down the throats of drivers and innocent victims in Ontario.

So much for reducing litigation and acknowledging that, yes, the lawyers told the Liberals that this bill was no good, lawyers of all shapes and sizes. The County and District Presidents' Association wrote to the Attorney General as recently as 13 March—that is Ian Scott, the Attorney General, a member of the cabinet—saying, "Dear Attorney, Please do not let this legislation go through. It is going to hurt too many innocent injured victims."

The interesting thing is that the Attorney General, the fellow from here in Toronto, a member of the cabinet, a top law officer of the—

Interjection.

Mr Kormos: That is the title. Let's call it the way it ought to be called, not necessarily the way you see it.

What is remarkable is that the County and District Presidents' Association has said no to Bill 68, that it is going to hurt innocent injured victims and it is not going to control insurance premiums. Premiums are going to continue to go up, and we know that because the Minister of Financial Institutions, the Premier's own little henchman, has already told the public to expect premium increases of up to 50 per cent. But the Law Society of Upper Canada, a convocation of which the Attorney General is a member, the Attorney General's own organization of which he is a voting member, adopted the recommendation of the special committee and adopted a resolution urging the government not to enact Bill 68.

Why? Because it is discriminatory and because it deprives the citizens of Ontario of important rights and remedies that they now possess. It goes further to indicate that the treasurer of the Law Society of Upper Canada will be writing to the Premier to convey to him the resolution passed by convocation of the Law Society of Upper Canada. It is remarkable that an organization to which the Attorney General himself belongs would condemn this bill, this legislation, so soundly. It is discriminatory and it hurts innocent injured victims.

But it was not just the lawyers. I will tell members who else came before the committee. I tell them the government did not want to have the standing committee on general government hearing submissions about this legislation. They wanted to ram it through before the Christmas break, before 20 December 1989, but they were forced by the opposition to hear submissions. As it was, because they are such a considerable majority, we were not able to obtain the length of hearings that was necessary. In fact, not just one or two but dozens, perhaps scores, of presenters were unable to appear before the committee to make their positions about this legislation known.

#### 1640

The lawyers were there telling the Liberals: "It's bad law. It's bad legislation. It's a bad bill. Drop it, abandon it, dump it now." But not just the lawyers. Health care people were there too. Doctors, psychiatrists, psychologists, nurses, chiropractors were in front of that general government committee, not just here in Toronto, but in Windsor, in Ottawa, in Thunder Bay and in Sudbury, telling the government that it is a bad piece of legislation, that innocent victims are going to be hurt, that the only people it helps, the only people who benefit by it are the insurance industry.

But the insurance industry was before that committee telling the government what a good piece of law it was. They were

there alone doing that.

The trade unionists, workers of that ilk, came before the committee to tell the government: "It's a bad bit of legislation. Dump it, abandon it, drop it." District labour councils, representatives of trade unions from the north, from the south, from the east, from the west, came before the committee to tell the Liberals, "Please don't pass this legislation."

Trade unionists, workers of all types in Ontario, oppose this bill, but the insurance industry supports it. Firefighters and their associations, police officers and their associations, teachers and their associations all came before the committee, telling the government that it is a bad bit of legislation, that the only people who are going to benefit from it are the auto insurance industry. Teachers, firefighters, police officers and their associations oppose this legislation and have told the Liberals so, but the insurance companies support it.

And you know what, Mr Speaker? Victims in their wheel-chairs, with their crippled bodies and their smashed spines and their torn and wasted muscles and ligaments, came before the committee, telling the Liberals: "Please don't pass this legislation. It's bad law. The only people who are going to benefit are going to be the auto insurance industry in Ontario. It's going to hurt innocent injured victims." Because there is absolutely no remedy under this scheme for people who suffer psychological injury.

No remedy, no compensation, no recourse to the courts to enforce rights for the people who suffer psychological injuries: not trivial, not modest, not minor psychological injuries, but psychological injuries that can destroy lives, end marriages, end relationships, end careers. For those injuries, innocent injured victims may not receive a single penny, not a nickel, not a dime, because every bit of that money that would have gone to them is going into the coffers of the private corporate auto insurance industry in Ontario. That is what this legislation is all about. This legislation is designed to create profits for the auto insurance industry like it has never dreamed of.

The real question, I suppose, is, how could these people, how could people like the parliamentary assistant, the member for Guelph, a member of the Liberal Party, do this to victims and drivers in Ontario? What would motivate him and his colleagues in the Liberal Party to do it for the auto insurance industry? Surely it was not the mere contributions of \$750 or

\$1,000 at a time that some of those Liberal members got from the insurance industry during the last election. They surely would not sell their souls for such modest amounts of money, would they?

The question to be asked then is, what makes this government so beholden to the corporate interests on Bay Street?

Mr Mackenzie: Or London.

Mr Kormos: Or London or Guelph. What makes this government, what makes the Premier and the Minister of Financial Institutions and the Liberal members of this government so beholden to the private auto insurance industry that they would sell out kids with broken backs, workers with broken legs and arms and fractured skulls, that they would sell them out in exchange for the profits that will go into the coffers of the private auto insurance industry?

That is not a trivial question. That is not a modest inquiry. That question, that inquiry goes far beyond the exchanges we can make about fridges and paint jobs and modest corruption. It goes far beyond that, because it speaks of something which is so insidious that it is obscene and evil.

These people have had victims, health care professionals and therapists appearing in front of them saying: "I'm telling you this is bad legislation. Stop the charade. End the mythology. Acknowledge the reality, that this is going to create profits for the insurance industry and deny victims compensation." It is going to make sure that premium increases go on and on because we are talking about a government that gives not a damn for injured victims, that gives not a damn for drivers, that gives not a damn for taxpayers, but cares a whole lot about private corporations and their profits.

If nothing made it more obvious, this legislation certainly does—and the government's unwillingness to bend, the government's unwillingness to listen, its cynicism, its disdain for the public, which have made it so arrogant when it comes to this legislation. The committee hearings were a sham. This bill and its amendments—what amendments? A little bit of housecleaning, dotting some i's, crossing some t's. This House should not dignify that obscenity by accepting that bill and letting it be tabled in this Legislature again. We say no to that.

**Mr Runciman:** Mr Speaker, thank you very much for the opportunity to participate in this debate.

Like the member for Welland-Thorold, I was disappointed in the way the proceedings were conducted. As the members of his Legislature know, those hearings came about as a result of pressure being applied on the government from the opposition parties. The government entered into them quite reluctantly, and certainly the results of the committee hearings process and some of the things that have come to the attention of the public and members of the Legislature since the conclusion of those hearings indicate that the government had no intention of any neaningful result coming out of those hearings.

I think probably in my nine years as a member of this House I was more impacted upon by the testimony before us han perhaps I have been in years gone by. We had some very noving testimony. We had people who had no axe to grind, no rested interests, individuals who had suffered very serious accidents in their lives who appeared before us because they are concerned about future innocent accident victims in this province.

I made an appeal early on to the Liberal members of that committee to pay attention to the witnesses, to pay attention to what they were saying, "Let's listen to their concerns, their very valid concerns, and indeed make changes in a substantive way that could positively impact this legislation in the best interests of all Ontarians." As the process wound around the province and we heard witness after witness, we heard responses from government members that they were listening, that they were being affected by the testimony before us and that changes were going to be forthcoming as the hearings got into clause-by-clause. We know now that was not the case.

In point of fact, the members of the government side in the committee were more exercised by a comment I made with respect to the possible appearance of a member of cabinet when someone said, "It isn't over until the fat lady sings." There was a great uproar about that and the fact that I was implying something negative with respect to a member of the current cabinet. We argued about that for some period of time and there was great consternation on the part of government members about that one remark.

Members can compare that with some terribly moving testimony by a young chap in a wheelchair who had suffered a serious injury. What kind of concerns do we hear expressed from the government members after a witness like that appeared before us, and many more witnesses who had moving testimony? Absolutely nothing, no response at all, but when you say something that might be inferred as a comment that is negative about a member of the Liberal cabinet, well my God, you would think the sky is falling in.

#### 1650

That shows where their priorities are. It was a very serious disappointment for me when you look at those Liberal members who said at the outset: "We are going to listen. We are going to act on what we hear." Well, baloney, they did not listen and they did not act. They were there as rubber stamps for the Premier and nothing else.

Mr Kormos: Trained seals.

Mr Runciman: Trained seals someone suggests, and that is indeed the case, and they should all be ashamed. Those members of that committee who are sitting in this House today should be ashamed. They did not listen. I expressed some personal disappointment about the member from Hamilton—I am not sure what the specific riding is. She had publicly prior to these hearings indicated some concern about the exclusion of psychological injury from the threshold. Indeed, during the first couple of hearings, she started to pose questions along those lines, but then we had this moving testimony, witness after witness, and we had the same sort of nonresponse, if you will, from that member, which greatly disturbed me and greatly disappointed me.

We had the member from Windsor-Walkerville making some public statements with respect to his concerns about this legislation. I like the member and I respect him, but I want to tell the House that when the committee appeared in Windsor, where was the member?

Mr Kormos: Mike Ray.

Mr Runciman: Michael Ray; I will clarify that.

Mr Pouliot: The Liberal.

Mr Runciman: The Liberal member, the government member who expressed public concern—a letter was made public—but when we went into his community, we went into his riding, he was not there. He found an excuse not to be there.

We have had on the record now concerns being expressed by a number of Liberal riding associations. We have one of the members in the House here—no, I am not sure he is here—one of the members from Sudbury who has made some comments: "Look, I am not going to listen to these people, they are only my riding association. I do not have to listen to these people. I am elected. I know better than those people who are sitting on my executive."

That is reflective of the views of the leader of that party, the leader of the government, the member for London Centre, who knows better than the ordinary folks out in the street. He knows better. Well the reality is he has no understanding, because he has led—as I have said in this House on a number of occasions—a very protected existence for all of his life.

#### Mr Pouliot: Sheltered.

Mr Runciman: A sheltered existence indeed. Born into wealth, he really has no understanding, no appreciation, no empathy for the problems of many of the initiatives undertaken by this government and certainly with respect to the impact of Bill 68 on the less fortunate in society, the poor in society. If we as a society are going to be judged by the way we treat those people, we are certainly going to be in sad shape indeed based on the thrust of this legislation.

We had numerous organizations appearing before us. I think there were something like 61 nonlegal organizations and professions opposing or expressing concern on this legislation. I rose in the House earlier today on a point of privilege to express my concern with respect to what I believe was contempt of Parliament, contempt of the members of the committee with respect to the withholding of significant information from the committee during the hearings process. It certainly reinforces the belief that the whole exercise was a sham.

When we talk about rate filings by the companies made available to the government at the end of January, really preliminary filings at the end of December 1989, the government had those filings in its hands. Here is a committee deliberating on significant legislation and they are not prepared to tell us what it is really going to cost the consumers of this province. They are going around saying zero to eight per cent. Then we have the minister speculating in the press, "Well, some people might be seeing increases in the neighbourhood of 20 or 25 per cent." He can say that because he has the rate filings in his hands. Supposedly, a committee of this Legislature is trying to deliberate on this legislation without that information which he was unwilling, his government was unwilling to provide us.

The member for Welland-Thorold made the point earlier during the day when we were talking about my point of privilege with respect to all sorts of information that was not made available to the committee. We talked about actuarial studies which were made available on the last day after virtually every witness had appeared before us who could make constructive comment on those actuarial studies.

I had to fight to get Professor Jack Carr, an economist from the University of Toronto, 15 minutes to respond to a massive pile of actuarial studies. The member for York Mills, after we had an agreement in the committee where I gave up my questioning time so that Professor Carr could appear before us, then tried to renege on the agreement, tried to back out of it. That is the kind of approach undertaken by this committee and its leaders on that committee, primarily the member for York Mills.

Obviously we had, and we have a group of people on that committee on the Liberal side who for whatever reasons are still harbouring ambitions of either getting into cabinet or returning to cabinet. A number of them have the shadow of Patti Starr hanging over them, and who knows what is going to happen with respect to that matter. I want to say, as I said earlier, when they reflect upon their action or lack of action in that committee, when they look back upon their legislative careers, when they look back upon taking decisions with respect to important issues like this and putting ambition ahead of the genuine interests of the people of this province, they should indeed be ashamed of themselves.

This is indeed one of the biggest giveaways to large corporations in the history of this country. I want to talk about \$143 million in tax breaks to the insurance industry, represented by the premium tax and the OHIP subrogation agreement. I want to mention, under this threshold, \$480 million in payments for pain and suffering that these companies will not have to make now; \$150 million in economic loss that these insurance companies will not now have to pay under this threshold. That totals \$733 million to an already rich and powerful industry. We suspect, based on the actuarial studies that were eventually presented to the committee, that it could be closer to \$1 billion, a \$1-billion windfall to the insurance industry which is already turning things around.

We look at projected losses dropping dramatically in 1989. If you look at interest rates, it is quite feasible, even given the current system without tort reform and other measures that Justice Osborne suggested, that insurance companies will be turning profits in 1990. Yet what do we have? We have this government bringing in a bill that is going to significantly reduce benefits and rights to the people of this province. What we have had is the government saying, "This loaf of bread is too expensive, so what we are going to do is cut the loaf in half and increase your price." So they are getting half a loaf of bread at increased prices. That is really what this bill represents.

As I said, if there are a thousand points of light out there now, as Mr Bush likes to refer to it, that is the insurance executives in this province striking up their Gucci lighters to light fat cigars in anticipation of this legislation passing.

It is indeed a windfall and the less fortunate in our society are going to be the losers in this legislation if it goes through, and given the current mindset of the government and the arrogance of the leader of the government, it seems likely that is going to happen. But we are not going to let it happen easily, Mr Speaker, I can assure you and I can assure members of this Legislature. It ain't going to be easy. We are going to fight this to the end because we believe very strongly that this is wrong, wrong, wrong.

I want to talk about a couple of the witnesses who appeared before the committee: the Consumers' Association of Canada. I was in a debate in Kitchener last night and we had a representative of the Consumers' Association of Canada present, Ms Helen Anderson, a very charming lady and I am sure a well-motivated individual, but I want to say that some of the things she said were totally incorrect, totally out of left field. It is an organization that purports to represent consumers in this province and in this country and I am greatly concerned about the position they have taken, expressing some concerns but generally in support. They would prefer the pure socialist initiative of a government-run program with a pure no-fault approach.

#### 1700

Mrs Anderson suggested that psychological injury could pass the threshold. That is incorrect. I suggested that she should be talking to some of the head injury people in this province. Certainly if it is a result of a physical injury, no one is going to argue about that, but that is not what we are talking about and

those are not the concerns, as the parliamentary assistant well knows.

She talked about accident frequency, that the Quebec experience is that accident frequency is going to decline. It is quite the opposite in the Quebec experience. They went through much the same in terms of the initiatives in Ontario, increased policing, doing a number of things that were going to improve the enforcement end of things, but what happened? They had increased accident frequencies. If you take a look at the Quebec system and apply it to Ontario, there has been a study done at Osgoode Hall that indicates we will see a significant number of deaths, an increased number of deaths on Ontario highways with a no-fault system.

I think when we are talking about the concerns and interests of consumers, perhaps the most appropriate testimony before us was that of Ralph Nader. I do not think anyone in this Legislature, perhaps the Minister of Financial Institutions being the exception, is going to question Mr Nader's credentials. He does not have any political axe to grind. He was not here with any bias towards the New Democratic Party or the Conservatives. He was here because of his genuine concerns about no-fault and about what its impact is going to be.

He gave us a brief history review of what has happened in the United States in jurisdictions that adopted no-fault, looking at rates and so on, and there is certainly no benefit with respect to rates.

He was taking a look at the benefits of the tort system and how it has benefited over its evolution in the United States. He made reference to the Pinto situation. A number of members will recall the Pinto car with the faulty gas tank and the number of explosions that occurred, and deaths, in the United States and Canada and throughout the world. Action was finally taken on that faulty car as a result of civil action, going through the courts, through the insurance system, and that is what finally prompted action by the legislators in the United States. We could use a number of examples brought forward by Mr Nader which clearly indicate the social benefits of the current system.

I am not going to suggest that the current system does not have some flaws, and we have proposed a number of changes. We have seen \$1.4 million spent on perhaps what is the most comprehensive study of auto insurance anywhere in the world, by Justice Coulter Osborne of the Ontario Supreme Court. Justice Osborne had significant recommendations to make with espect to tort reform and improvement of the current no-fault penefits that would have had the impact of a reduction in rates or Ontario drivers—retention of tort instead of what this government has done, throwing out the baby with the bathwater. That is in essence what they have done.

We have talked about the windfall to the insurance industry, but there is another element of this that the government really loes not have a handle on, and that is the cost of the cureaucracy that is going to be required to administer this program. We have had some suggestion: "Look, the Ontario automobile Insurance Board, Financial Institutions, the superntendent of insurance office, etc, cost X number of dollars. We mink it is going to cost us about 11 or 12 million bucks."

I am a little concerned about this. We really do not know that it is going to cost. We are talking about a dispute resolution system. We are talking about six million drivers in the rovince.

I think we should look at the record of this Liberal government with respect to rent review. Do members know what that costing us now because of this Liberal government's initiate? It is \$40 million a year. That is taxpayers' money.

In the future there is going to be one additional victim at every accident scene in this province if this legislation goes through, and that is the already beleaguered taxpayer. That is what is going to happen. What we are really developing here, perhaps, is the son of rent review. We have six million drivers. We are establishing a dispute resolution system, with a variety of steps—

Mr Philip: Who voted for that rent review act?

Mr Runciman: We are getting interjections from the NDP. This is curious. I do not want to get into this, but we know a current assistant of the leader has just been appointed to a plum position by the Liberal government. I wonder if that is encouraging the members of the opposition to interject on a position that we support with them? I think those kinds of interjections should be a little more carefully considered.

Mr Philip: How did you vote for the rent review act?

**Mr Runciman:** How did the member vote for Robin Sears's appointment to Tokyo?

I want to talk about the fact that it is quite interesting that the government is running around the province saying, "We're looking at zero to eight." The minister is talking about 20 per cent perhaps. We are not talking about the number of people who are going to be forced into Facility as a result of this legislation. I talked about the less fortunate in society, those people who do not have collateral benefits, who cannot afford collateral benefits, who do not have salary continuation plans.

The reality is that with this bill, no-fault benefits take second place. If you have salary continuation, you are going to exhaust that salary continuation plan. But for the less fortunate in society who do not have those kinds of benefits, what is going to happen with respect to the broker and the insurance company looking at those persons as prospective clients? They are going to refer them to the Facility. They do not want them because the possibility is very clear that they are going to have to pay out through no-fault benefits. With someone who has salary continuation that is going to kick in before no-fault benefits, so you are a much lower risk to that insurance company.

So what we are going to see is a significant growth of Facility. The minister says that is not going to happen, but I want to tell members, if we look back at the history of this government since 1987 when the Premier made that irresponsible promise—and I could use tougher language than that—that he had a specific plan to lower automobile insurance rates, if we look at that and the initiatives undertaken where this minister and his predecessors said, "Look, we're not going to see any growth in Facility," over the last year we saw a growth of 103 per cent in the Facility Association and we are going to see a much more significant increase when this legislation goes through. That is the reality, that the poor and the unfortunate in our society are really going to get a kick in the tail when this goes through.

We could talk about the independent business person. We could talk about the small farmer. And there is another disappointment: the Ontario Federation of Agriculture failing to appear as a witness before our committee. I cannot understand it, because the farmers in this province are people who could be very, very seriously impacted by this legislation. Many of them have very modest incomes—a lot of it goes back into the farm—and the payouts under the legislation are based on salary. I was told by some members of the farming community that because the OFA has a significant interest in an insurance com-

pany perhaps that affected its judgement and its willingness to appear before this committee. I hope that is not the case, but if indeed it is, I believe they have done a serious injustice to their membership.

I could go on at length about the myths that have been built up about this legislation by the government. We talked about the 30 to 35 per cent increase if they did not do anything. We had this business about, "If we don't do anything, we're going to see significant increases of 30 to 35 per cent." That did not take into account the tax breaks that they are giving, the \$143 million. It did not take into account the tort reform that is coming in the fall. It did not take into account the number of other initiatives that Mr Justice Coulter Osborne recommended. That is another effort to deceive the public, another red herring. I asked members of the insurance industry, for example, "What does the \$143 million represent to you?" It represents 15 per cent. We have these boys on the Liberal side of the House saying, "Well, you're going to get a 30 per cent increase." Just that tax break alone represented 15 per cent of that so-called 30 per cent increase.

The reality is that we have, as Justice Coulter Osborne said, probably the best compensation system in the world and we should not be importers of compensation systems; we should be exporters. But that \$1.4-million study was virtually ignored. The Premier did not like the results of it because it did not go along with his promise of the election campaign. So what did he do? He threw the ball into the court of the Ontario Automobile Insurance Board and it took a look at it.

I do not want to get into at length about the waste of millions and millions of dollars in that automobile insurance board. The whole history of this Liberal government in respect to auto insurance is something that should bring tears to the eyes of every taxpayer in this province—the money that has been wasted. It is shameful when we are seeing problems in health care, we are seeing problems in sewage treatment plants across this province, where we are spewing raw sewage into the streams and rivers of this province and we see this Liberal government throwing money down the toilet, in essence, in its efforts to screw up royally the insurance system in this province.

#### 1710

I have a request from a colleague of mine to participate in this debate. Obviously I am going to have opportunities to pursue this line at a future date, so I am going to assume my seat at this juncture.

Mr Ferraro: It is my privilege as parliamentary assistant to the minister to be involved with this legislation. Quite frankly, I can say without hesitation that it has been an enlightening experience. I should say right off the bat, because indeed the debate was precipitated by the committee report, that I would like to offer my personal thanks to everyone on the committee, in particular to the chairman and the members of my party and, in fairness, the members of the opposition who contributed and endured a very difficult process, and understandably so.

I found that any time there is a significant change in the way we do business in Ontario, and indeed we are significantly changing the way we do insurance business in Ontario, particularly dealing with automobiles, there is always resistance. That is just a fact of life.

In particular to the members of the opposition, the member for Leeds-Grenville and my friend the member for Welland-Thorold, in both cases I have had the pleasure of debating on a number of occasions. I think they epitomize something that is

symptomatic perhaps of all politicians, in that any time you get a microphone or a television camera there is an allergic reaction and they have a tendency to break out.

If you were to believe everything the opposition members have said in regard to Bill 68, the Ontario automobile protection plan, then I quite frankly do not blame the public for being upset. Occasionally, when I listened to what they were saying, because much of it became redundant, I honestly thought I was doing something grossly wrong. However, when saner moments entered the picture and we learned the reality and the facts involved with this, I find it is much less inflammatory and, indeed, logical and acceptable to understand the direction we are taking.

Let me say right off the bat that it is important to understand the position of each party. The New Democratic Party, understandably so, wants public, government-run auto insurance, and its own party will have diverse points of view as to whether or not it should allow actions in tort, whether people should have access to lawsuits. The game is still in play there.

I have to admit in all fairness that I am not quite sure what the official position of the Conservative Party is. The closest I have seen to an official party position is that it is in favour of some form of choice. Maybe when it gets its new leader—or indeed the present leader will clarify that for us.

But here is the problem: the problem is one of affordability. I regret very much that much of the debate and many of the arguments that have been presented to the public are entirely around lawyers and the access to courts, because that is unfortunate. It is much more involved than that. The problem is a systematic problem above and beyond the litigation process which is necessary and which indeed will continue.

The problem is and most reasonable people will accept the actuarial studies—and numerous actuarial studies have been performed; indeed, the opposition asked for, admittedly, on many occasions, for the reports. They wanted 24 reports; the government released 39. In any event, most of the studies took place over the last couple of years—and we fought two elections on this issue—so to suggest that the government is ramming this through, knowing full well that we have argued this thing ad nauseam for the last five years, to me is somewhat lacking.

Having said all that, most reasonable people on all sides of the issue, whether they are in favour or not, will accept the fact that if the government did nothing, insurance premiums in Ontario this year would increase somewhere between 29 per cent and 44 per cent. The government took 35 per cent; which means that if we did nothing, which many people want us to do, the 6.2 million drivers in Ontario could expect an average insurance premium—which is \$756 in Ontario right now—a premium in excess of \$1,000 this year. That is not acceptable.

If you listen to the opposition, Mr Speaker, you would think that everyone in the world is against this legislation, that it absolutely is not supported by anyone, which is so full of holes that it would pale beside Swiss cheese.

Let me just very briefly say who is in favour of this. The Consumers' Association of Canada, a nonpartisan, well-respected agency, is in favour of this. In fact, to be blunt, they want us to go further. They want us to abolish entirely all access to tort, no lawsuits whatsoever, similar to the system they have in Quebec which is called pure no-fault.

I have heard much about small business people being af fected by this. The Canadian Federation of Independent Business, the voice of more than 400,000 small business people who employ over two million people in this province, is in

20 MARCH 1990

favour of this, but we do not hear the opposition saying that. We never hear them say that. We have the Ontario March of Dimes in favour of it; we have auto clubs in favour of it.

When one listens to what they are saying, most of the arguments centre on the fact that they are not going to be able to sue in court. Indeed they are saying, and I wrote this down, "There is no remedy or no remuneration for psychological injury." In both cases, I suggest one needs to hear a little bit more about it. There is no question that under the present system, right now, one can sue for anything. There are no-fault benefits now. The no-fault benefits essentially are \$140 a week in income replacement and \$25,000 in rehabilitative care. That is it, but you do have this right to sue, Mr Speaker.

I understand that it is a very emotional issue, as it should be, but who can sue, Mr Speaker? You can sue if you can afford t, if you can stand the mental anguish and the process of a long court procedure. I acknowledge that many of these are settled without going to the full extent of the jurisprudence. In other words, instead of an average of three to four years, many of hem are settled a couple of years from now, but, Mr Speaker, you could only sue, really, if you think you can win.

There was \$1.8 billion in bodily injury claims last year; 21,000 accidents out of approximately 203,000 accidents last year involved bodily injury. One third of those were either at ault themselves or could not prove fault.

So, if you are in the fortunate position of being able to afford the time, the money to go to court, yes indeed, you will get some financial reward—I guess that is the terminology—if you have a judge who believes what he hears, but what about all those innocent victims? I have heard this innocent victim tuff. Innocent victims? You would almost think that people get a their car and go looking for an accident.

First of all, all the premium payers in the province of Onario are innocent victims because every time the insurance ompany has to make a payment, it is funnelled back into the prim of premiums. I have heard about these giveaways.

I listened to the member for Leeds-Grenville. He said there vas a \$143-million tax break, \$480 million in pain and sufferng—a billion-dollar giveaway to insurance companies. I can naybe understand the New Democratic Party's saying that, and has, but I sure cannot understand the minder of the gate of ree enterprise, knowledgeable of business acumen, suggesting nat if the insurance companies have to make a claim, they are oing to eat it. That is what he is saying, it is a giveaway. We re giving the insurance companies \$1 billion.

#### 720

If the insurance companies have to pay \$1 billion, are they oing to pay it or are the premium payers going to pay it, the rivers who pay the premiums? I suggest that even a three-year-ld would understand that there is no giveaway there. If there is cost payout, it is passed on to the drivers, pure and simple.

But let's deal with that specifically for a minute: \$143 milon, they say, is giveaway in OHIP subrogation and indeed in remium tax. In this bill specifically it says that that amount of ioney has to be acknowledged as a direct subsidy to the remium. In other words, the \$143 million has to be shown to be insurance commissioner as going directly into the form of remium reduction. That has to be proven so that there is no iveaway to the insurance companies. The beneficial aspect of lat giveaway, they call it, which is not a giveaway, is to the remium payers, to the 6.2 million drivers in Ontario.

I could go on and on on this and rebut much of what has een said. I want to, if I can for a minute, say this. The sugges-

tion that psychological injury is not compensated, to me, is one of the most unfair, misleading, if you will, statements that anyone can make. The legislation says, and understandably so, if your injury is serious and permanent, you can sue. If it is not, you cannot.

Mr Runciman: Physical injury.

**Mr Ferraro:** Causing physical injury, I thank the member. There is no question of that. And there is no question that it will reduce approximately 90 per cent to 95 per cent of the court actions.

Bear in mind, on the one hand we had the legal fraternity and others saying they should retain the right to sue in all instances. On the other hand, we had insurance companies telling us that we should have a pure no-fault system. They did not want to have any court cases whatsoever.

Mr B. Rae: No, they were not. They never said that.

Mr Ferraro: I beg to differ. They did say that.

In Quebec one cannot sue, but the government took a balance. We took a comprehensive approach. We said, "In those serious and permanent cases, you still have access to tort, but if you are going to take away the right to sue for people in those less serious cases, then you have to give them something," and we have done it. We have increased substantially the no-fault benefits side, so much so, and as a result of public hearings, that we have made certain amendments. So they were certainly beneficial and helpful.

We now have an income replacement of \$600. That will cover approximately 85 per cent of the people in Ontario. We have rehabilitative and supplementary care to the tune of \$1 million. There are many more, so hopefully my colleagues will reiterate.

I say to the people of Ontario that they should not believe everything the opposition says. They should hear both sides of the issue. I suggest that most people will not understand this new direction, if you will, until they deal with their insurance agent or company or, God forbid, get in an accident themselves. But one fact is undeniable: If we did not do what we are doing in a comprehensive way, they could look at increases of 30 per cent to 35 per cent more in their premiums. What we are standing behind and what we are fully accountable for is that in the province of Ontario, as a result of Bill 68, they will have increases in urban areas, on average, of eight per cent and in other areas, on average, of zero per cent. And yes, that will mean that some people, a small percentage, will get substantial increases, about 25 per cent; but, conversely, some people will get substantial reductions.

It is fair. It is equitable. I look forward to further debate and I look forward to hearing my colleagues speak on the issue.

Mr B. Rae: I am delighted to be able to participate in the debate after the comments that have been made by the member for Guelph, because he said that the government decided to take a balanced view. I want to remind the member for Guelph—he has a very short memory—that in the period between 1985 and 1987, the insurance industry issued its plan, and it was called smart no-fault.

Mr Speaker, I want to remind you what the elements of smart no-fault were. The elements of smart no-fault were that you have a threshold for suing, but it was a less rigid threshold than the one which the government brought in in its Bill 68. You increase the amount of no-fault benefits that are paid out, and the amounts that the insurance companies were prepared to

pay out were more than what the government established under regulation under Bill 68.

What we have is, yes indeed, a balance. It is a balance between what the insurance industry told us it wanted in 1986 and what the insurance industry then realized it could get after the Liberals got their majority in 1987.

The member for Guelph should know that this government gave the insurance industry more than it asked for in 1986. At that point, they had the government on short-term loan, and therefore they were not sure how much they could get. Now they think they have the government on a long-term lease, and that is the kind of approach the government has taken after 1987.

Let's be entirely clear what this bill does. This bill takes away substantive legal rights from the citizens of this province. Indeed, the Law Society of Upper Canada, in its proceedings of convocation dated 26 January 1990, said that the convocation adopted a recommendation urging the government not to enact Bill 68 because it is discriminatory and because it deprives the citizens of Ontario of important rights and remedies that they now possess.

When it talks about it being discriminatory, it points out specifically it is discriminatory, first of all, against people who are injured in different ways; second, it is discriminatory against people who suffer injuries whose consequences and results are psychological and nonphysical rather than purely physical.

Mr Speaker, I can tell you, and I think every member of this House knows, that the psychological consequences of an accident or of an injury are in some cases even more serious than the physical consequences of an accident or an injury. Anybody with an iota of sensitivity would understand that and would know that we are not living in some century where people who have psychological pain are somehow less worthy of compensation than people who are suffering simply physical pain.

I can say to the honourable member who has just spoken, the psychological pain of an accident and its consequences can last for a lifetime. The physical pain can be something which one can cope with and which can be a passing thing.

It is purely and simply a disgrace for a government to have caved in to an industry the way this government has given in to the insurance industry. We can show, whether it is taxation, whether it is asking OHIP premiums and the government, through its taxation for OHIP, whether it is a subsidy through the tax system, we can establish clearly that there have been massive transfers of public moneys to the insurance companies.

I can remember in the last election campaign, the insurance industry was saying to us, "Well, the reason you have public insurance doing relatively well in other provinces is that there are all kinds of subsidies." What we have in this system are all kinds of subsidies, in fact more subsidies than now exist in any plan, public or private, anywhere in Canada. There is a larger transfer of money going from the taxpayers and from the public purse to the insurance industry in this province under Bill 68, and we will document this day in and day out in this Legislature. Those people are giving the insurance industry more money than has been given to the insurance industry in any other province in this country. We can document that and we can show it. The government is giving them a bigger deal and a bigger transfer. It is also taking away more rights than now exist in every other province, except for the province of Quebec, and I can say to the minister, who is not here—I will say it to the parliamentary assistant who is here—that the other thing this government has done is that it has deprived the citizens of this province from recovering the full economic loss as well as the full psychological loss of the consequences of an accident.

I said before, at a rally, that this is an act of ultimate cynicism by this government and I think it is the kind of cynicism that is going to cost this government votes. It is going to cost the government public support because this is the kind of issue that will not go away. Everybody drives and everybody knows the consequences of injury. I can tell the government, when it starts playing the insurance companies' tune, it does it at its peril.

#### 1730

Mr McClelland: I appreciate the opportunity to participate in the debate. Just at the outset, there are a number of issues I would like to respond to that have been made by members of the opposition, but inasmuch as a number of my colleagues would also like to join the debate, I will try to limit my comments to three points, although as I say there could be many many more.

I want to respond to a question that has come before me many times in my constituency office, in meeting with people indeed meeting with people as I served on the committee, and we heard some 237 presentations made before the committee. Certainly at the outset of the introduction of the Ontaric motorist protection plan the terminology being used was nofault insurance. There was a misconception held by very many people in this province that the idea of no-fault meant that all drivers would be treated equally, regardless of their driving record or their responsibility with respect to causing accidents and their care in operating a motor vehicle.

That clearly is not the case and we have established and demonstrated to many people before the committee the elemen of the rating system which will continue with the new system we are bringing before this Legislature. I raise that for one othe particular point and that is in response to a position given by the member for Leeds-Grenville. He drew a conclusion with respect to the Quebec situation that I would simply say is incorrect.

He said the Quebec no-fault experience generated a rise in accidents. In fact, that was the case; in 1987, when Quebec introduced no-fault, there was a rise in accidents. Let me say simply that after they recognized that, they introduced a rating system similar to what we are proposing in this legislation Having introduced that rating system, whereby drivers who do not conduct themselves appropriately and cause accidents—they had a dramatic decrease, some 60 per cent decrease. I wan to make that clear for the people of Ontario who have raised this concern. I am sure many of my colleagues have had tha concern raised to them. I think it is a very important point to draw to our attention.

The second point is with respect to the court process, heard a member of the opposition say there were going to b people, the less fortunate, who would end up as losers. I list tened to people come before the committee and not one of u who sat there and saw people who are wheelchair-bound, whos lives have been destroyed, was not touched in a very dramati way by the presentation made by people who came before us.

I think it important for us in this House to understand the many of those people who came before us talked about wh they wished a plan like the one we are proposing had been i place. Many of them said their lives were torn apart, that the were victims who were involved in accidents where there we no at-fault party to whom they could turn.

Under the system that now exists, many of those people said if they had been in a position where they could have

received the financial compensation that is being proposed under the no-fault benefits under this act, they would have been in a much better position. More important, there is the access to rehabilitation and the access to medical services to put them in a position again to be active participants in society.

That brings me to my third and final point and that is really with the philosophical wrestling I had to undertake in my own mind and heart as we heard people across this province. The critic from the official opposition says, and rightly so, that for a large number of people we, the government, under this legislation will be removing the right to sue for pain and suffering. That is true.

I ask myself the question, "Is that a fundamental right we have in this society?" As one who had the privilege of being rained in the law and of practising law for a short while before being elected to this Legislature, it is something that I suppose I was steeped in, in one sense, in the tradition, albeit in practice for a few years, with that element of it being a right for people to sue.

Yet I look at other schemes that we have in this province hat have qualified that right to sue and I ask myself the quesion again: Is it a fundamental right? I suppose that if one concludes that it is an inalienable right, then ultimately people are going to have difficulty with this legislation.

Let me say that I have come to a conclusion that I think our society is progressing to a point where we can look to a shift. Those people who are seriously injured and meet the threshold will ultimately be able to have access to the courts for that element of pain and suffering and psychological damage and to ook to finances to compensate them.

Clearly, everybody who came before us said that finances vould never put them in a position to make their lives whole gain. So I asked myself the question: Is it better if we can nove philosophically from a shift to that retributive element of our society that has said somehow that paying people makes hings right? Is it not more important, I ask you, Mr Speaker, and all my colleagues here, to put people in the position where hey can be made whole again, as much as we are able to do hat?

We heard evidence before the committee that said that in ases where people waited more than six months to be put into ehabilitative programs, their success rate was less than 50 per ent. One of the elements that I find most compelling about the roposed legislation is the fact that people will have quick acess to the kind of resources that they need to get their lives ack in order and get whole again.

I just say simply that having wrestled with that philosophial argument, and wrestled with it at great length, I think we are a fact at a point in our society where we can begin to shift our nindset away from that element of retribution in saying that, Money makes me better." It does not do that. Indeed, every vitness had said, "Put people back in a position financially to ompensate for their income." But if the shift is to be there, let s move ahead with this shift in making people's lives whole gain, providing them with the kind of rehabilitation, the medial assistance, the help that they need and the help that their amilies need to put their lives back in order.

Mr Speaker, those are but three elements that I am pleased present to you today. As my colleagues consider this legislation, I ask them to bear in mind that the essence of this legislation is to provide speedy access of benefits to people who are in eed and to make those people whole again.

Mrs LeBourdais: On the subject of automobile insurance, me thing is certain: The people of Ontario are simply unwilling

or unable to bear the financial burden that a substantial increase in premiums would bring about. This applies particularly to those people on fixed incomes. In my riding of Etobicoke West, seniors, for example, would be very hard hit by a substantive rise in insurance premiums.

The people of Ontario want this government to take firm action to ensure that their insurance rates do not become unaffordable. This has meant making some very tough choices, and there are certainly some tradeoffs involved. The new system is not perfect, but I feel that a careful consideration of the pros and cons reveals that it is a significant improvement over the present tort system.

The existing system is highly inequitable. It serves the rich better than the poor; it serves the better educated better than the less well educated. It is all well and good to be able to sue for full compensation, but if, for one reason or another, you are unable to identify the person at fault or do not win your case, you are left with nothing, and in some cases you are left with exorbitant court costs and legal fees. Certainly, winning your case may often depend on whether or not you can afford the cost of a good and competent lawyer.

Under the present system, a case can take a great deal of time to work its way through the courts, sometimes even years, during which time an innocent victim may receive grossly inadequate income replacement benefits. This is not to mention the emotional costs of such long-drawn-out court cases. Because of the long backlog in the court system, many cases end up being settled out of court. In some instances the settlement ends up being far below what the victim rightly deserves and in other cases it far exceeds that amount, and in those instances we pay for it.

#### 1740

What Bill 68 achieves is that it provides for fair, guaranteed and promptly delivered benefits. Income replacement benefits would begin within 10 days and money for rehabilitation purposes within 30 days. Insurance companies failing to pay benefits on time will be subject to stiff penalties. In addition, guaranteed benefits will be available for the first time to students, to seniors and to the unemployed.

Several amendments have been made to Bill 68 as a result of the public hearing process held in both January and February, amendments which I feel have significantly improved this legislation. Guaranteed benefits have been enhanced from \$450 to \$600 per week, thus providing sufficient income replacement for anyone earning \$39,000 per year or less. This covers 85 per cent of Ontario income earners. In addition, long-term care benefits have been doubled from \$1,500 to \$3,000 per month. Motorists have the option of purchasing additional insurance for extra income replacement, and certainly should be encouraged to do so.

Although we would all like to see benefits improved even further, it should be kept in mind that providing additional benefits would begin to push the cost of premiums beyond the reach of the average motorist. Once again, affordability is the primary goal of the Ontario motorist protection plan. Without Bill 68, premiums would rise 30 to 35 per cent. With it, increases will be far more moderate. This fact is often ignored by the critics of the bill. The reduction of premiums will be achieved largely by eliminating the need to sue in court in order to recover financial losses in a large majority of cases. This will greatly reduce the number of costly lawsuits.

In order to keep premiums down, the legislation also contains a number of measures to improve consumer protection and

enhance accident prevention. These include greater OPP enforcement of traffic laws, higher fines for traffic violations, tougher penalties for drunk drivers, antifraud campaigns, stricter regulation of the insurance industry and public education programs on seatbelt usage and daytime running lights. In addition, the Ontario government will eliminate the three per cent tax on auto insurance. This will generate an estimated \$95 million in savings on premiums for the Ontario motorist.

I deeply value the input of the wide range of individuals who brought their experiences and concerns before the standing committee on general government. I feel that the public hearings were very beneficial and I know that all members of the committee were deeply moved by many of those who appeared before us

There were times, however, when I was saddened by the outright manipulation of certain individuals, many of whom were young people, who were brought forward solely for their shock value. These were individuals who were tragically hurt in horrendous car accidents and have had their lives drastically and permanently altered. Most of these individuals were in fact set up. They were unaware that under the new no-fault system they would have been cared for better and in a more prompt manner than they were under the present tort system. In fact, they would have passed the threshold.

I would like to conclude by again emphasizing that through this legislation the government has undertaken the very complex task of finding the right balance between premium affordability and benefit comprehensiveness. Difficult choices have had to be made when legitimate and often conflicting goals existed. I feel that Bill 68 provides this balance and adequately addresses the shortcomings of the present auto insurance system.

Ms Oddie Munro: I would like to focus on three issues relating to the committee hearings and to the issue of Bill 68 and the relationship to the Ontario motorist protection plan. The first is just to reflect on the committee process itself and the whole aspect of pubic participation, whether it be through that committee, through letters to the minister, through town hall meetings or through ongoing contact with people in our ridings and riding associations.

I think it is fair to say that every member of the Legislature is concerned about the spiralling insurance costs and I think every one of us has had to think very carefully about the elements that would lend some stability to the marketplace and bring to the insured the kind of protection he wants at the kind of price he says he can tolerate.

In the committee hearings, I believe it is fair to say, and many other members have reflected on it, that the people who came to that committee were indeed serious. They were under time allocation pressures. They said what they had to say, and the emotion and knowledge I think was accepted by each one of us. If emotions got too high, then so be it; that is part of the committee process.

I think many of the suggestions that came before the committee have been reflected in the amendments and I am indeed looking forward to continuing discussion in the House and suggestions for amendments from the floor. Certainly each one of us will recognize that the enhancement of benefits to \$600 from \$450 was significant and was reflected in many of the witnesses' statements, as was the increase of long-term benefits monthly to \$3,000.

I do believe that the committee system works in a technical sense also. Hansard in fact has quoted the member for York Mills as stating that the notice provision was passed, section 208. The notice provision requires an insurer to give notice 30 days in advance of its intention to terminate or change an insurance policy and the broker has to get notice well in advance. As each member will know, that notice provision was the subject of many newspaper articles and concerns expressed by clients.

In addition, the member for York Mills referred to the provisions for the excluded driver rule, section 209a, which again resulted from not only the expressions to the committee but the letters that have been coming to the minister and to the members.

One of the benefits of dealing in a committee—and let me say that I believe very, very sincerely in the committee process. I have been asked, and many of you have noticed, certainly in my riding association, whether I do believe and whether I have paid attention to what people are telling me. Of course I have and I am very comfortable with the fact that members in committees can, by virtue of their interest and knowledge and listening to witnesses, effect the kind of amendments that are so necessary.

I would like to focus on statements we received in Ottawa certainly statements by Mr Slater, who feels that, in taking a look at all of the evidence before him, Bill 68 is going a long way towards giving the client the kind of coverage and compensation he deserves.

I would also like to reflect on some of the more weighty academic treatises submitted to us by Michael Trebilcock of the University of Toronto, where the evidence is still out on accident frequency and where the Régie de l'assurance automobile du Québec has in fact said that it is finding in Quebec that the accident frequency is down.

I will be speaking more to the bill as we go along, and I would like to thank you for this opportunity, Mr Speaker.

The Acting Speaker (Mr Cureatz): I would like to invite at this time the member for Hamilton Centre for the conclusior of her debate. There was agreement in terms of time allocation That being the case, as acknowledged by the government House leader, are there any further members wishing to participate ir terms of time allocation? Seeing none, is there agreement that we proceed with the matter at hand? Agreed.

#### 1755

The House divided on whether the report should be received and adopted, which was agreed to on the following vote:

#### Ayes-53

Adams, Bossy, Brown, Callahan, Campbell, Chiarelli Cleary, Collins, Cooke, D. R., Cordiano, Eakins, Elliot, Epp Faubert, Fawcett, Ferraro, Fleet, Grandmaître, Haggerty, Hart Henderson, Kanter, Kerrio, Keyes, Kozyra, LeBourdais Lupusella, MacDonald, Matrundola, McClelland, McLeod Miclash, Neumann, Nicholas, Oddie Munro, Owen, Pelissero Phillips, G., Polsinelli, Ramsay, Ray, M. C., Reycraft, Roberts Scott, Smith, D. W., Smith, E. J., South, Stoner, Sweeney, Ward Wilson, Wong, Wrye.

#### Nays-26

Allen, Brandt, Bryden, Charlton, Cooke, D. S., Cousens Cunningham, Eves, Farnan, Grier, Harris, Jackson, Johnson, J. M., Kormos, Mackenzie, Marland, Martel, McCague, McLean Morin-Strom, Philip, E., Pollock, Pouliot, Runciman, Villeneuve, Wildman.

Bill ordered for committee of the whole House.

The Speaker: I should draw to the attention of the members that our clock is a little slow. We still have a few minutes on the clock and we have not reached orders of the day.

#### INTRODUCTION OF BILLS

#### LANDLORD AND TENANT AMENDMENT ACT, 1990

Mr Fleet moved first reading of Bill 111, An Act to amend he Landlord and Tenant Act.

Motion agreed to.

The Speaker: Do you have an explanation?

**Mr Fleet:** I have already had an opportunity earlier today o explain this, but I have another matter to move.

#### RESIDENTIAL RENT REGULATION AMENDMENT ACT, 1990

Mr Fleet moved first reading of Bill 110, An Act to amend he Residential Rent Regulation Act, 1986.

Motion agreed to.

#### **EDUCATION AMENDMENT ACT, 1990**

Mr D. S. Cooke, on behalf of Mr R. F. Johnston, moved irst reading of Bill 112, An Act to amend the Education Act.

Motion agreed to.

The Speaker: I do not suppose you have an explanation for the members.

**Mr D. S. Cooke:** Very briefly, this bill is to replace Bill 83, An Act to amend the Education Act, which had a typographical error.

#### CITY OF NORTH BAY ACT, 1990

Mr Harris moved first reading of Bill Pr57, An Act respecting the City of North Bay.

Motion agreed to.

## ASSOCIATION OF STONEY LAKE COTTAGERS INC ACT, 1990

Mr Adams moved first reading of Bill Pr55, An Act to revive the Association of Stoney Lake Cottagers Inc.

Motion agreed to.

#### VICTIMS' BILL OF RIGHTS ACT, 1990

Mr Jackson moved first reading of Bill 113, An Act to establish the Rights of Victims of Crime.

Motion agreed to.

The House adjourned at 1804.

#### **CONTENTS**

### Tuesday 20 March 1990

Members' statements	Automobile insurance
Northern health services	Mr Peterson Hospital services
Firefighting	Mr Eves
Mr Runciman	Mrs Caplan
Reforestation awareness program	Agricultural industry
French-language services	Mr Ramsay
Mr Morin-Strom	Cardiovascular care
Children's mental health services 9	Mr D. S. Cooke
Mrs Cunningham	Mrs Caplan
Federal budget	Toronto area transportation
Government's record	Mr Wrye
Fire alarms	Motions
Rental housing protection	Private members' public business
Mr Fleet	Mr Ward
****	Agreed to
Statements by the ministry	Committee sittings
Tire fire	Agreed to
Mr Offer	Committee substitutions
Mr Bradley	Agreed to
·	Committee business
Responses	Mr Ward Agreed to
Tire fire	Agreed to
Mrs Grier	Petitions
Mr Kormos	1 CHOOMS
Mrs Marland	Truck traffic
	Mr D. W. Smith
Oral questions	Religious education
Tire fire	Mr Reycraft
Mr B. Rae	
Mr Bradley	Reports by committees
Mrs Grier	
Mr Brandt	Standing committee on regulations and private bills
Water quality	Mr Callahan
Mrs Marland	Tabled
Mr Bradley	Standing committee on public accounts
Tire fire	Mr Philip Adjourned
Mr B. Rae	Select committee on education
Mr Bradley	Mr Campbell
St Bruno Catholic School	Adjourned
Mr Jackson	Standing committee on government agencies
Mr Bradley	Mr Sterling
Career options for women	Adjourned
Mr Neumann	Standing committee on general government
Mrs Wilson	Mr Pelissero
11 110011	

Mr Adams

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L) Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Beer, Hon Charles, Minister of Community and Social Services (York North L)

Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

Bradley, Hon James J., Minister of the Environment (St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L)

Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

Charlton, Brian A. (Hamilton Mountain NDP) Chiarelli, Robert (Ottawa West L)

Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills

Development (Renfrew North L)

Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L)

Cousens, W. Donald (Markham PC)

Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)

Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L)

Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L)

Hampton, Howard (Rainy River NDP)

Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of

Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and

Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio

(Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.





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# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Wednesday 21 March 1990

# Assemblée législative de l'Ontario

Deuxième session, 34e législature

## Journal des débats (Hansard)

Le mercredi 21mars 1990

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

#### Table des matières

La table des matières des séances rapportées dans c numéro se trouve à l'arrière de ce fascicule, ainsi qu'un liste alphabétique de députés de l'Assemblée législative d l'Ontario. La liste des députés appartenant au Conseil de ministres et des adjoints parlementaires ainsi que celle de députés appartenant à des comités y figure aussi.

Il existe un index cumulatif des numéros précédents. Le renseignements qu'il contient sont à votre disposition pa téléphone auprès des employés de l'index du Journal de débats au (416) 965, 2150

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

#### Wednesday 21 March 1990

The House met at 1330.

Prayers.

#### **MEMBERS' STATEMENTS**

#### TIRE DUMPS

Mr Kormos: Sadly, Tyre King in Hagersville is not the nly tire dump in Ontario. Even more sadly, the Ministry of the nvironment has displayed no more concern about the other tire ump locations than it has about Hagersville.

Let me tell members about Dain City in Welland. It is a nique community; a small village with an attractive tral/residential area to the west, immediately adjacent to the ld Welland Canal. The people who live there are proud of their mmunity and are doing everything they can to maintain it as fine place to live in and grow up in.

Regrettably, an operator called Adelstein, running a comany called Ontario Tire Recycling Inc, has set up shop as a tire ump and so-called tire recycling operation right in the middle f Dain City and right beside the old Welland Canal.

Dain City residents have lived in daily fear of fire in the ored tires of Ontario Recycling; long before Hagersville these eople were pleading for help and protection from the Ministry f the Environment, the city of Welland and anybody else who ould be approached or who would listen to them. Ontario Tire ecycling has taken advantage of nonconforming usage to void compliance with zoning requirements. Adelstein and Onrio Tire Recycling are also taking advantage of the thorough reffectiveness of the Ministry of the Environment.

Notwithstanding that Ontario Tire Recycling currently faces of only charges at its Welland location but also 11 more charges at its Port Colborne location, the ministry has still ear-arked taxpayers' money of almost \$500,000 as a grant to ntario Tire Recycling.

Dain City residents—good people like the Monaghans, dith Rominger, the Cranshaws and others—are mad as hell at this could take place. Ontario Tire Recycling does not slong in Dain City. The threat to the welfare of the community amply demonstrated by Hagersville.

#### **PUBLIC SAFETY**

Mr Runciman: Members will recall concerns I expressed this House related to the release of criminally insane or rensic psychiatric hospital patients into the community rough loosened Lieutenant Governor's warrants.

One of the cases I raised was the release of John Finlayson, man responsible for the sexual assault, brutal murder and nutilation of a nine-year-old Toronto boy, Kirk Deasley. Folwing his release into the community, Finlayson was involved a knife attack on a Brockville woman and earlier this week as found not guilty by reason of insanity on charges arising om that attack.

The not-guilty verdict for Finlayson is a guilty verdict for review board process that permits dangerous people like less out into the neighbourhoods of our communities and for the Ministry of Health and its officials who are responsible for these people once their warrants are loosened.

I want to call on the Minister of Health to ensure that Kirk Peasley's mother, Carol Ann, is allowed to give testimony

before the review board hearing on Finlayson slated for 25 April and that all other victims or victims' families be given the same opportunity of review board hearings determining the future of individuals responsible for criminal acts against their families. The inclusion of victim impact statements at review board hearings would be a good first step towards ensuring that public safety is given greater consideration than it has received in the past and in restoring public confidence in the process.

#### AGRICULTURAL INDUSTRY

Miss Roberts: The Minister of Agriculture and Food will meet with federal Agriculture Minister Mazankowski and the other provincial agricultural ministers within the next few weeks in Victoria to discuss the key challenges facing Canadian agriculture.

We all know that the feds are determined to offload their responsibility in various areas. This cannot be allowed to happen in agriculture.

Our provincial government has been fighting hard in its negotiations with the federal government to create a new national grains and oilseeds stabilization program that would include feed grains. This is essential to the long-term health of Ontario's agricultural industry. Our producers want this program and Mazankowski should listen. The subsidy war between the United States and the European Community is placing our agricultural industry in a difficult position. Ad hoc programs are not the answer. Farmers want improved, affordable crop insurance, just like the program our government wants to put in place. Mazankowski should put those amendments before the federal Parliament with all possible speed.

Ontario farmers want well considered, fiscally sound programs. They want a federal government that does more than apply Band-Aid approaches to fundamental problems. Ontario farmers are competitive and they want to stay competitive. Mazankowski should start listening and acting like a federal Minister of Agriculture and not just another member of the federal cabinet.

#### CARDIOVASCULAR CARE

Mr D. S. Cooke: I would like to make some further comments about the tragic death of Joel Bondy, a 23-month-old child who died while waiting six months for heart surgery at the Hospital for Sick Children. The Minister of Health said at the time, before she left for her three-week vacation, that she would conduct a full investigation by her ministry and the Hospital for Sick Children, and then she left for her vacation in India for three weeks. When she returned, she refused to give any additional information or report on the findings of the investigation.

I can say to you, Mr Speaker, that the people in Windsor and Essex are outraged at what has happened and very sad that Joel died while waiting for access to Ontario's world-class health care system. I and other members in our area have received dozens of phone calls and letters that express their profound grief and anger at this government for its lack of action and its complete lack of confidence in the minister and her system.

In yesterday's question period I asked for a simple answer from the minister as to the results of the investigation. She refused to answer and instead gave what the member for Windsor-Walkerville called "bureaucratic bafflegab," which we have come to expect from the current Minister of Health. I am saying today on behalf of the people of my community that we expect a full response from the minister, an explanation and response on the investigation, and not the complete coverup we have been getting from this government and the minister on this tragic death.

1340

#### ELIMINATION OF RACIAL DISCRIMINATION

Mr Jackson: I rise to acknowledge, on behalf of the Progressive Conservative Party of Ontario, the International Day for the Elimination of Racial Discrimination. This day marks the 30th anniversary of the Sharpeville massacre in South Africa, when peaceful demonstrators against apartheid were wounded and killed. To commemorate this tragic event and to promote the cause for which the victims of that massacre died, the United Nations declared 21 March the day on which all peoples might reflect on the terrible injustices inflicted on all humanity whenever and wherever racial discrimination is to be found.

I am proud to say that Canada is a leader in the fight to combat racism. Canada was quick to subscribe to the Universal Declaration of Human Rights, which recognizes the inherent dignity and equal and inalienable rights of all members of the one human family and race as the foundations of freedom, justice and peace.

However, much remains to be done. In the words of Martin Luther King Jr, "Legislation cannot change hearts, it can only restrain the heartless." In addition to enacting legislation for the purposes of promoting civil liberties, we need to continue to promote mutual understanding and appreciation of the differences that all of us share and which define our uniqueness and special quality as citizens of Ontario. May this day see a renewal of our common commitment on behalf of the ideals of freedom and justice for all in Ontario and throughout the world.

#### **ROY WARD**

Mr Elliot: Roy Ward of Georgetown is sitting in the members' gallery. On 12 March 1990, Roy was honoured by his town for seven decades of involvement in minor hockey. At the dinner held in his honour, Ron McLean and Brian McFarlane, of TV renown, Brian Lewis, the vice-president of the National Hockey League in charge of refereeing and a Georgetown native, the mayor of Halton Hills, Russ Miller, and the regional chairman of Halton region, Peter Pomeroy, all spoke in glowing terms of Roy's dedication to hockey and, more important, to the participating young people of the community.

Roy participated as a player for more than 30 years and then became a number one volunteer as a coach, organizer and fundraiser for about 40 years. In small-town Ontario, the backbone of our communities are persons like Roy, who, for no personal gain, give of themselves decade after decade for the benefit of our youth. This fine tradition is being carried on by his sons and their children, one of whom scored five goals and five assists in one game in this year's hockey tournament, held the week of the midwinter break in Georgetown.

I am really pleased to recognize publicly Roy Ward of Georgetown, the 1990 recipient of the Hockey Heritage Award, and to thank him for his many years of dedicated service to the youth of Georgetown.

#### MINE CLOSURE

Miss Martel: In mid-January Falconbridge announced the closing of its East Mine on 27 April. The reason given was lower nickel prices. It is no longer profitable for Falconbridge to extract lower-grade nickel out of that mine.

The affected employees will be transferred to other company operations. Originally the 200 workers involved were slated for layoff. As a result, some 80 employees opted for an early retirement package. The company has backed off a bit by announcing it will accommodate the remaining workers for six months. After that, if prices and hence production do not pick up, layoffs will result.

Two points must be raised. In recent years, Falconbridge has made money hand over fist because of high nickel prices. When MPPs and MPs met with company officials in March 1989, they admitted times had never been better. Now, when the profit margin is reduced, they will close East Mine and leave some 2.5 million tons of recoverable nickel ore in the ground. That is an unacceptable waste and it is made on the backs of workers in our community.

Second, the government has done nothing to ensure that mining companies will extract existing ores instead of causing layoffs when times are not as good. In fact, in December 1989 this government gave Falconbridge another 10-year exemption from the Mining Act. The company can continue to refine its nickel-copper concentrate in Norway instead of in Canada. We lose Canadian jobs as a result, but with no conditions placed on that exemption, we also lose any leverage we might need to counter company moves like the one at East Mine.

I would like to know what this government intends to do for workers in our community.

#### PENAL SYSTEM

Mr Harris: Overcrowded jails are reaching crisis proportions, and our Liberal Minister of Correctional Services responds by saying, "The courts may be ordering too many jail terms."

I want to bring the case of Wayne Benard to the attention of all members. In November, Mr Benard escaped from custody while being transported from Winnipeg to North Bay.He was recaptured and charged with escaping custody, two counts of forcible confinement and robbery and one each of aggravated assault, rape, possession of a dangerous weapon, having intercourse with a girl under 14, intimidation, indecent assault on a woman and gross indecency. He was released after paying \$2,500 bail.

Within one month of the arrest, even before Mr Benard's bail review, the police had already been tried and punished for allowing Mr Benard to escape. Apparently they did not use handcuffs because he complained of arm and hip ailments. One officer was slashed in the face. One was choked with a seatbelt Both were left with their hands bound and were hospitalized They were penalized eight and 10 days' pay for neglect of duty for a combined fine of \$3,200.

So a man accused of rape and 11 other serious charges who has already violently escaped once is freed on \$2,500 bail pending trial, the police are immediately tried, convicted and punished and the Peterson Liberals are complaining about courts ordering too many jail terms.

As my constituent who brought this matter to my attention said, "Is this a great country or what?"

#### TIRE FIRE

Mr Miller: On Monday 12 February the attention of the province and that of the nation, and in fact the world, was directed towards Hagersville where 12 million used tires started burning. Within a record-setting time period of 17 days the inferno had been extinguished.

I would like to commend our local firefighters, especially Chief Buck Slope of the Hagersville Fire Department, Ralph Berry of Waterford and Howard Elliot of the Jarvis Fire Department and their staff, who worked around the clock in the first week of the fire, and the firefighters sent in by the Ministry of Natural Resources for a job well done.

I would also like to recognize and commend the local community for the way in which it banded together during this crisis. Our thanks to the regional municipality of Haldimand-Norfolk and its chairman, Keith Richardson, who played an integral part of the joint response team, as well as the city of Nanticoke and the town of Haldimand.

Thanks also to the Ministry of the Environment for all the efforts it has made and what it continues to accomplish during the cleanup process, the Solicitor General, the Ontario Provincial Police and the Ministry of Natural Resources water bombers.

I am pleased to report that things are under control. The cleanup process is moving along at a rapid rate. The water processing plant has caught up with the runoff water and is processing the water being transported back from the Mississauga South area. While on tour of the site this past Saturday, I noted that the robins have returned and the wheat is growing up in the fields nearby.

**Hon Mr Wong:** Mr Speaker, I seek unanimous consent from all parties to recognize the independence of Namibia.

Agreed to.

#### INDEPENDENCE OF NAMIBIA

Hon Mr Wong: It is with much pleasure that I draw the attention of the honourable members to the fact that Namibia became independent yesterday. On this happy occasion, the government and people of a sovereign Namibia are proudly celebrating the end of three quarters of a century of colonial rule and a hard-fought struggle against South African apartheid. Namibia's triumphant transition to democracy is a testimony to the resolve of the Namibian people and, more important, it is another example of a victory for reason and human rights over ignorance and prejudice.

Canada, as my honourable colleagues are no doubt aware, has long been a strong supporter of the Namibian independence novement. In 1977, Canada and other western members of the United Nations Security Council designed a plan for Namibia's independence from South Africa. After much internal struggle and international pressure, that day has finally arrived.

I would like to invite all members of this House to join Namibians in celebrating this great day in the history of their country and in expressing our hope that true democracy may soon triumph in southern Africa and indeed in the whole world.

Mr R. F. Johnston: I rise on behalf of the New Democratic Party to also celebrate this day. If you were looking at southern African politics over the last number of years, at 18 minutes past midnight last night one of the most unbelievable occurrences took place. Mr de Klerk from South Africa and Mr Nujoma, the old South West Africa People's Organization guerrilla leader, were on the same stage to celebrate the inde-

pendence of Namibia, brought about peacefully by an amazing co-operation of the superpowers and other groups, an example for all of us.

Today and tomorrow and in the days following, Namibia will become the 160th member of the United Nations, the 50th member of the Organization for African Unity, and a new democracy will have found its way into southern Africa, hopefully setting a trend that will have found its way into southern Africa and hopefully setting a trend that will follow, as Mr Wong has said, in its neighbours immediately to its south.

#### 1350

Canada has announced it is going to give \$4 million in aid, something which is quite useful, and humanitarian assistance, which is well needed. We have already played a role there, of course. When we were in Lithuania recently, Bill Blaikie, our external affairs critic, was telling me all sorts of stories about the time when he was in Africa to watch the Namibian elections take place; quite an incredible experience, given the distances and the nature of the armed struggle that was around the country at that time.

I would just hope that this government will also perhaps look at this time as maybe a moment in history, with all the amazing change that is taking place around the world, to take some international initiatives of our own and to look at Bill 77, which is on the order table, to talk about the notion that we might get involved in international development aid as well. The elections were last November; the peace has occurred, surprisingly; the new government is with us, and we should all be happy and there to assist in its prosperity and its democratic future.

Mrs Marland: It is a pleasure to rise on behalf of the Progressive Conservative Party of Ontario and congratulate and offer our sincere best wishes to the people of Namibia. They have finally achieved independence. Today, Sam Nujoma becomes the first president of the country. He was elected on 16 February. Mr Nujoma, a former rebel leader, has spent 30 years in exile and was active in the fight for freedom during the 1950s. He had to leave the country in 1959 and a year later was chosen leader of the newly formed South West Africa People's Organization.

The road to independence has been long and hard for the country formerly known as South West Africa. It became a German possession in 1884, but after the First World War was placed under South African trusteeship by the League of Nations. In 1966 the United Nations cancelled the trusteeship and two years later changed the name to Namibia. South Africa refused to recognize the action and continued to occupy the country. Finally, after the people of Namibia had waged a long guerrilla war, South Africa agreed to grant the territory independence under a regional peace accord signed in 1988 with Angola and Cuba.

We join with free people around the world in welcoming Namibia into the ranks of independent nations. May those people who live in that country be richly blessed with health and happiness.

#### MEMBER'S PRIVILEGES

The Speaker: Just before we go on to the next proceeding, I have a ruling I would like to make, and the members will be glad to hear it is not quite as lengthy as the ruling yesterday.

Yesterday, the honourable member for Leeds-Grenville raised a question of privilege of which he had given me notice. After listening to the honourable member, I advised him that

initially I had certain doubts as to the appropriateness of the question of privilege, but I did undertake to look at it and report back today.

On studying his presentation carefully, I must advise that I can find no prima facie case of privilege in this matter and, in doing so, I must refer to my ruling of yesterday. That is to say that I am not now making a decision based on the arguments of the honourable member as presented to the House yesterday, but rather I am making a ruling on the basis of procedure.

As I said yesterday, matters arising out of the proceedings before committees should be settled in the committee, and only if a report comes forward from the standing committee to the House dealing with the member's question of privilege could this matter be studied by the Speaker.

Let me therefore refer the honourable member to standing order 118(a), (b), (c) and (d), which sets out the appropriate procedure, as well as quotation 822 of Beauchesne's sixth edition, which can be found at page 232: "Procedural difficulties which arise in committees ought to be settled in the committee and not in the House."

#### LASZLO TOKËS

Ms Hošek: I rise to make a statement on the occasion of the visit of Rev Tokës to Canada. I believe there is all-party agreement to that.

The Speaker: Is there unanimous consent?

Agreed to.

Ms Hošek: On 15 December 1989, about 200 people gathered in Timisoara in Romania to protect Rev Laszlo Tokës from being arrested by the dreaded Securitate police force of the Romanian regime. Rev Tokës was an outstanding supporter of human rights and pastor of the Reformed Hungarian Church in that town, and he is a hero to both Hungarians and Romanians for his advocacy of nonviolent resistance and reform. That moment, the moment at which the people gathered to protect him from being arrested by the security forces, became the moment at which a demonstration of thousands of Romanians of all ethnic groups joined together to protest the human rights violations of the Ceausescu regime. The regime responded with bullets.

The world is small and very interconnected. A few days later, on a bitterly cold night, hundreds of people of Romanian-Hungarian origin, and others who supported them, stood outside this very building where we sit right now to condemn the violence of the Ceausescu regime and to call for liberty and democracy in Romania. Several members of this House were among those who were privileged to speak at that rally, and one of the people who helped to organize it was Istvan Tokës, the brother of the reverend, who lives in Canada.

Human beings sometimes forget that we are all brothers and sisters. It sometimes requires heroism for us to be reminded of that, and Rev Tokës is such a hero. Because of his steadfast speaking out against the destruction of Hungarian communities in Romania, he was under constant surveillance, had to deal with death threats and intimidation and be followed everywhere. He was assaulted by four people with knives and he was injured. His family was harassed. His food rations were taken from him. Through all this, he continued to preach every

Because of the respect in which he is held, when the security forces came to get him on that fateful December day, he was not alone. Many other heroes surrounded him to protect him and to fight for a larger liberty for all the harassed and

oppressed people living in Romania. A few days later the regime was toppled, and today Rev Tokës is a member of Romania's governing National Salvation Front.

Since the toppling of the Ceausescu regime, we have discovered the many horrors hiding behind the secrecy and silence of totalitarianism. Now Rev Tokës is part of the group of people working to rebuild their country and to build it on principles of democracy and human rights, which are still threatened.

On behalf of the government of Ontario, I extend our great respect for his courage and honour and our very warm hopes for his country to Rev Tokës, who is sitting in the members' gallery today, and I ask the members to recognize him.

Mr B. Rae: I can honestly say that the member for Oakwood was speaking for all of us when she spoke so movingly about Rev Tokës. I would like to add a few words of welcome and also to pay special tribute to him as a symbol of the extraordinary events in eastern Europe which have so changed the world and so changed all of us.

#### 1400

Together with my colleague the member for Scarborough West, my wife and I had an opportunity to travel to Poland and to Lithuania in recent weeks, together with members from other parties, the representatives from Durham East and from High Park-Swansea in this Legislature and several members of the House of Commons. It is so extraordinary to sit in living rooms, as we were able to do, and to have an opportunity to share thoughts and ideas; to be able to walk the streets and talk openly and freely; to see books in the bookstores, like Animal Farm and books by distinguished philosophers and people who were looking at events around the world, books that we take for granted in the west that are now readily available in Bucharest and in Budapest and in Warsaw; to talk with young people and to get a chance to talk to university students, as I was able to do, who look to such a different future from the one which was apparently and tragically laid out for them. It is, I can say, just a marvellously moving experience. We can only hope that this wonderful light which has begun to shine will shine even brighter. But we do know that the lights would not be shining at all were it not for the courage and the dedication of men and women like Rev Tokës.

So I say to you, sir, welcome. Welcome to this assembly, which in its own modest way tries to be as democratic as it can, in a province that tries to be as democratic as it can. We celebrate with you the arrival of democracy in Romania and throughout the world and look forward to working with you in achieving it. Thank you and welcome.

Mr Brandt: I too want to associate myself with the remarks of the member for Oakwood, as well as the Leader of the Opposition, in welcoming and recognizing the presence in our Legislative Assembly of Rev Tokës and his being here today. It is rare that this Legislature has had the opportunity to honour an individual who has played such a critical, dramatic and pivotal role so recently in European and world history.

Rev Tokës's resistance to the former brutalCeausescuregime in Romaniais, of course, well known in his own country and throughout Europe. But I say with respect that his name was largely unknown to most Canadians until the townspeople of Timisoara literally ringed his church to prevent his being taken away by the Romanian secret police. Many of those who defended Rev Tokës died because of their faith and their belie in what he stood for. Those deaths in the town of Timisoara led directly to the overthrow of the former regime in Romania.

We in this House often forget the price that others pay for the democratic system and freedoms that we enjoy here on a daily basis. Rev Tokës's presence here today, the awesome courage that this man has portrayed in the past, representing his church and speaking out for his beliefs in spite of the threats of imprisonment, of beatings, even of his own death, is the most vivid reminder possible of just how precious and how wonderful our own system of government is and what a valuable way of life we enjoy here in Canada.

It is an honour on behalf of my party to welcome Rev Tokës, to recognize in him one of the modern architects of a new way of life in eastern Europe. I also want to acknowledge that the work of Rev Tokës, as he well knows, is far from over. Even today we learn of new random acts of discrimination and persecution that are taking place in Romania. My party and I wish him Godspeed in meeting the challenges facing him in his own country and we wish to thank him for being an example of courage that we can all recognize and admire as parliamentarians and as Canadians.

We welcome you, sir, to Canada, to our Legislative Assembly, and we thank you for being here with us today. Good luck.

#### STATEMENTS BY THE MINISTRY

#### CONSTITUTIONAL ACCORD

#### ACCORD CONSTITUTIONNEL

Hon Mr Peterson: As members are no doubt aware, earlier today the Premier of New Brunswick tabled in the New Brunswick Legislature two constitutional resolutions dealing with the Meech Lake accord. The first of these resolutions is the Meech Lake accord itself. The second resolution proposes a number of additions to the accord which do not remove or delete any of its basic elements.

The New Brunswick proposals are detailed and complex and will merit serious consideration and study by all members of this House. However, even at this early stage it is evident that the New Brunswick proposals represent a careful and balanced attempt to deal with the concerns which have been raised regarding the Meech Lake accord.

Cependant, même à ce stage précoce, il est évident que les propositions du Nouveau-Brunswick représentent une tentative équilibrée et prudente de trouver une solution aux préoccupations exprimées quant à l'entente du Lac Meech.

I believe that all Canadians are indebted to Premier Mc-Kenna of New Brunswick for his act of leadership in bringing forward these moderate and reasonable proposals.

The New Brunswick proposals make a number of suggestions for improvements to the Meech Lake accord. New Brunswick would clarify that the intention of the accord is not to diminish or affect the rights of women. They would reinforce the accord's protection for minority rights by recognizing the role of the federal government to promote linguistic duality in Canada; they would permit the territories to nominate senators and Supreme Court judges and provide that the territories can now become provinces with the consent of the federal parliament, and they would add aboriginal rights to the list of agenda items for future constitutional reform.

There are two points to emphasize about these constructive and positive proposals from the province of New Brunswick.

First, the New Brunswick government has now introduced a resolution to formally ratify the Meech Lake accord. This represents a significant step forward from a province and a premier that have expressed a number of reservations regarding the ac-

cord. Premier McKenna's decision to introduce the resolution into his Legislature after extensive public hearings and many months of serious reflection reinforces a collective judgement which was reached in this House by members of all three parties. The collective judgement which was reached in this Legislature in a thoughtful and considered manner was that although Meech Lake may not be a perfect document, its flaws were not so serious as to preclude ratification. Today's events are an indication of the fact that the New Brunswick Legislature may soon be in a position to reach the same conclusion on the historic settlement achieved at Meech Lake.

Second, the additions to the Meech Lake accord which have been proposed build upon the accord without removing any of its existing elements. Indeed, the New Brunswick proposals take up a number of the recommendations which were put forward by an all-party select committee of this Legislature and adopted by our own House.

The Ontario recommendations dealing with the territories, with the need for public participation in future constitutional change and with aboriginal rights are all elements of the constructive suggestions put forward by the New Brunswick government. The parallels between the New Brunswick proposals and the all-party suggestions of our own Legislature indicate that very serious consideration needs to be given to these proposals for future constitutional change.

The challenge now, and it is a challenge shared by all members of this House, is to work together in the same constructive and generous spirit that has characterized past debate on these issues in this House.

Le défi que nous devons maintenant relever — et il s'agit d'un défi qui devra être relevé par tous les députés des deux côtés de cette Assemblée — sera de travailler ensemble dans le même esprit constructif qui a caractérisé les débats du passé sur ces questions au sein de cette Assemblée législative.

In the days and weeks ahead I will be conferring with my colleagues here as well as with Canadians across the country in the search for elements of a broader consensus. I know that all members of the House share a deep and profound passion to Canada, to its integrity and to its unity as a nation. As we move forward, we must all rededicate our efforts to keeping whole this vast, diverse, tolerant and wonderful country.

#### 1410

Mr B. Rae: Mr Speaker, on a point of order: I believe we have unanimous consent among the three parties to allow me and the leader of the Conservative Party to respond. I express my gratitude for allowing me to do that.

The Speaker: Is there agreement?

Agreed to.

Mr B. Rae: I am afraid I cannot stay, but I did want to simply reply to the Premier by saying that I share his views with respect to the positive nature of Mr McKenna's initiative. I have had an opportunity, at an initial stage, to review the points that Mr McKenna has been suggesting. I look forward to discussing them with the Premier and look forward to discussing them with the leader of the Conservative Party.

This is a very important moment for Canadians. We are at a very touchy spot, and I think it is extremely important that no one in his initial response draws lines in the sand. One of the disadvantages of CBC Newsworld is that we tend to see some rather instant responses. I think it is very important for us to recognize that the impasse in front of us is not going to be resolved unless there are some shifts and some moves, not away

from Meech Lake, but some shifts that take us beyond the agreements that were reached back some three years ago. I think that if we can reach the point where some additional agreements can be arrived at, then we will have made progress.

Je crois qu'il est tellement important pour tous les gouvernements, le gouvernement du Québec et les autres gouvernements partout au pays, de ne pas dire non tout de suite aux suggestions de M. McKenna, mais de les étudier et de comprendre la réalité qu'il n'est pas question de changer l'accord du Lac Meech directement mais qu'il est question d'un compromis canadien, d'une solution canadienne à ce grand problème.

I think it is a truly historic moment, the next few weeks and months in our history. I have already said outside this place that unless we make some constitutional progress, the country is going to be facing enormous difficulties. I do not think any of us should underestimate the challenge, but let us remember that we have succeeded in the past. Indeed, to borrow a phrase that the Premier has also borrowed from Frank Underhill, "A nation is a group of people who have done great things in the past and who will do great things in the future."

It is with this sense of confidence about what Canada is and what Canada can be that I personally, and our party, approach the next few weeks and months. We will be playing whatever constructive role we possibly can. This is a time for us to set aside some partisan differences and to try to be as constructive, as Canadians, as we possibly can be. That is the role I intend to play and our party intends to play in the future discussions.

Mr Brandt: I welcome the Premier's response to the initiatives being taken today by the province of New Brunswick and I would like to reaffirm my personal support for the accord and to indicate to him that the flexibility and open-mindedness that has now come into play with respect to this historical debate is one in which I pledge my firm support as well in a totally nonpartisan way.

I would like to say to the Premier that some 20 months ago—I just want to re-establish in the minds of all members of the Legislature that it was this party that suggested that a parallel accord may well break the logjam in terms of some differences of opinion, and it appears that New Brunswick is on a path which is not particularly dissimilar to that which was proposed by our party at that particular time.

I do not want to revisit history necessarily, other than to say that some of the flaws in the initial debate centred around the fact that 11 people got behind closed doors in order to come to a conclusion with respect to the historic and future direction of our country. That has proven to be not good enough. Now that the debate is opening up and now that other ideas are coming forward, we welcome some of those suggestions.

We want to work co-operatively to struggle with the other members of this Legislature in finding a common position that will in fact be in the best interests of the country. That common ground and that recognition of a need for change in what was the fundamental structure of the accord is something that my party is strongly in favour of and that we will work co-operatively to achieve.

As a result of the initiative of New Brunswick, since it has just come to our attention today, we too want to study what all of their proposals are.

e have taken a very quick look at what their suggestions are, and we realize that they are being reviewed by the other provinces as well.

I want to indicate to the Premier and to the leader of the New Democratic Party that my party will in fact sit down at any mutually convenient time to try to arrive at a consensus position so that we can all join together as members of this assembly in a common front to hopefully construct together a strong and united Canada.

#### ELIMINATION OF RACIAL DISCRIMINATION

Hon Mr Wong: As members know, today marks the 24th anniversary of the International Day for the Elimination of Racial Discrimination. March 21 has become a global symbol for the worldwide struggle against racism.

The United Nations proclaimed this day in 1966 in memory of the 70 South Africans killed protesting apartheid in the Sharpesville massacre of 1960. In a way, 1990 has already become a landmark year. As all members will recall, it was on 11 February that Nelson Mandela was released. He, more than anyone else in our lifetime, has come to represent the fight against racism.

Racism hurts all of us. The cost in terms of human pride, dignity and potential are incalculable. It affects our wellbeing and our prosperity. In Ontario, a province which welcomes newcomers from every corner of the world, the drive to build a harmonious society is more critical than ever. While we stand together, resolute and united in our contempt for racism, we require new approaches to foster greater tolerance, goodwill and understanding.

In this respect, I would like to inform members that the Ministry of Citizenship is sponsoring Building Together: A Conference on Race Relations, which gets under way today in Orillia. The three-day conference, sponsored by the ministry, marks a new era in our province.

For the first time, we are bringing together key decision-makers from industry, labour, education, the media and community groups to develop proactive race relations strategies and initiatives. This is no small task. But I am confident we can lay a solid foundation with the support and participation of every individual and every sector of our society. We can hope to eliminate discrimination and enter the 21st century a stronger, richer and more dynamic society.

The struggle to eliminate racism is far from over. But we can all be proud that in Ontario and across the nation we are taking major steps to build a more just and fair society for all.

[Later]

In view of the fact that all members are wearing these pins today, I thought it might be appropriate to indicate that members of the B'Nai Brith are here who are helping us to stamp out racism in Canada on this very special occasion.

#### **HEALTH CARDS**

Hon Mrs Caplan: The Ontario government assumed responsibility for insuring health care benefits to the people of this province in 1968. At that time, the management system chosen for the Ontario health insurance plan was based on families.

It was a natural thing to do. Family life has always been a fundamental ingredient of Ontario society. However, in recent years my ministry has come to realize that the family registration system used for OHIP is not as useful as it once was. At the same time, the technology available today for the processing of information is way ahead of what we have had until now in the Ministry of Health.

So two things are needed. We need to change the family registration system to one which treats everyone as an individual and we need to introduce new information technology into the health system to make maximum use of the improved data we will be gathering.

The new information technology for my ministry is now being designed and built. It is a complex and time-consuming task because what we have to have at the end is a system that will serve Ontario's health system well into the next century.

My ministry will be moving in the near future to issue new individual health cards to the residents of Ontario. The new card will be plastic and will carry a 10-digit personal health number. The number will remain valid for the lifetime of the cardholder and will eventually be the only number needed to access any of Ontario's health services.

#### 1420

Among the early advantages will be a special card for senior citizens. Once the initial registration is completed and every person in Ontario has the new card, senior citizens will no longer need a separate Ontario drug benefit card or senior's privilege card in addition to their OHIP cards. Everything will be accessible with just one new Ontario health card.

A personal number, good for a lifetime, is the key to reliable records that will no longer need to be changed as people grow up, leave home, switch jobs, marry, divorce, raise families or retire.

I should like to say something about confidentiality too. As is well known, the Ministry of Health has always accepted its responsibility to safeguard the confidentiality of personal health information. However, dangers do exist in this area under the current family registration system.

Until now, many people were covered by a family card, but the only person in the family whom OHIP could contact was the one in whose name the premiums had been paid. That meant there was a risk of talking to that registered person about a health issue affecting someone else in the family, an issue that we regard as confidential. That will not happen with the new cards.

The family-based system also falls short administratively, both for the Ministry of Health and for health care providers. Because registration information is not available for all family members, we cannot monitor payments as closely as we would like. This problem was pointed out in 1987 by the Provincial Auditor, who expressed concern about OHIP's limits of accountability, given the system of family registration.

This same shortcoming led to the need for a separate registration system to administer the Ontario drug benefit plan. There are other examples in the ministry and outside as well. For example, hospitals have had to develop their own separate registration systems in order to compile essential information on individuals that was not available through the health ministry's family-based files. That information will soon be available to hospitals through the use of the new cards.

For health providers, the new system will also mean speedier settlement of their accounts. The delays that have occurred in the past have been partially due to difficulties with identification and confusion over exactly who was covered by a particular family card and who was excluded.

Adoption of this new system of registration will also result in important long-term benefits. The unprecedented accuracy and reliability of the information to be gathered through use of the new Ontario health card will greatly enhance my ministry's ability to plan for future health needs.

This sort of planning will ensure that resources are allocated effectively and efficiently. Health services now account for one third of the provincial budget, and we owe it to the taxpayers of Ontario to plan and manage those services using the best possible information.

The comprehensive updating of all information technology in the Ministry of Health, which, as I mentioned at the outset, is now well under way, we estimate will lead to savings of more than \$1.5 billion over the next 10 years. About 10 per cent of those savings can be attributed to the introduction of the new Ontario health card.

I want to assure everyone that the new card will mean no reduction in benefits or services. On the contrary, it will improve the planning and the delivery of those services; it will help us achieve an even higher level of confidentiality than we now enjoy; it will significantly lighten the administrative burden for health providers; it will simplify access to all health services for the people of Ontario, and since residency must be established in order to register for the new card, it will tighten control over both fraudulent and unintentional use of Ontario health benefits by nonresidents.

From 17 April, residents of Ontario will begin to receive their registration kits in the mail. A new plastic Ontario health card with a new personal health number on it will be sent to each eligible person for whom an application is completed and returned. I would urge all Ontarians to fill in and return their form to get their new health card. By doing so, they will be working with us towards more efficient management of our excellent health system: the Ontario health card.

#### RENT REGULATION

**Hon Mr Sweeney:** I would like to inform members about changes to Ontario's rent review system, changes we believe will result in lower rent increases for some tenants.

I am sure members are aware of the controversy surrounding rent increases that some tenants feel are based on unnecessary repairs or luxury renovations. After studying this issue for the past several months, I have determined that this concern is valid and that some tenants have good reason to be angry.

I believe that the vast majority of landlords in Ontario have a good relationship with their tenants, but there are some, a minority, who have been taking advantage of the rent review system at the expense of their tenants, so now we are going to change that system.

The changes I am announcing this afternoon follow lengthy consultation with representatives of both tenants and landlords. It has become clear that some aspects of rent review can be improved for the benefit of everyone.

Perhaps the most important change we are making involves communication. We will be introducing measures so that landlords will inform tenants about the nature, cost and timing of capital expenditures in advance.

Another change to the rule involves a landlord's motivation for doing work. Some tenants have accused landlords of renovating their buildings merely to sell them at a higher price. We will be making changes to discourage that practice.

Other changes will result in lower rent increases for tenants by reducing certain claims landlords can make.

Another change we are making will allow landlords to reach agreements with individual tenants who want their own apartments improved or upgraded and who are willing to accept higher rent.

Some landlords have defended large, onetime increases by saying that the rules of rent review encourage them to do a lot of repairs and renovations all at once. Here we will be changing those rules to encourage landlords to do the opposite; in other words, to plan repairs and renovations over a longer period,

meaning the cost will be spread over several years instead of all in one year. To reduce rent increases even further, the cost of certain types of repairs will be spread over a longer period of time

I will soon introduce regulations to implement these changes. To ensure that we are achieving our goal, we will closely monitor the effect of these changes over the next 12 months. I believe that this will encourage tenants and their landlords to work together to maintain and preserve every apartment in this province in a way that is fair to everyone.

#### RESPONSES

#### RENT REGULATION

Mr D. S. Cooke: I would like to respond to the Minister of Housing's announcement today, and I must start off by saying that I am not exactly sure what he has announced. He has indicated that there will be a change in the regulation to discourage unnecessary renovations at some point in the future, but we are not sure what the regulation is going to say. We are not sure how he is going to discourage the motivation unless he is going to put a prohibition on unnecessary renovations without the approval of tenants. That is not clear at all by what the minister has said today.

#### 1430

I think the minister has started off attempting to find a solution to this with the wrong motivation. It is impossible, and the current review legislation shows this, to get a system that is going to satisfy landlords and tenants. The landlords have found every loophole in the current legislation that is possible, and they have as a result raised rents in an unjustifiable way for hundreds of thousands of tenants across this province.

Over the next few weeks, we will be raising case after case with the minister of the refinancing costs that tenants are suffering from, the renovations, and now the new loophole that we have discovered, landlords who are renting out their land to themselves and raising that rent to raise tenants' monthly rents as well.

What is necessary is a complete scrapping of the current rent review legislation and an introduction of rent control in Ontario.

#### ELIMINATION OF RACIAL DISCRIMINATION

Mr Philip: I would like to concur and agree with the statement of the Minister of Citizenship. Hopefully, by involving key decision-makers in developing proactive race relations strategies, appropriate decisions can be made by those with power, and we can lessen the tragedy where our brothers and sisters are forced to go through the agonizing process of being forced to take even democratically elected bodies before the Ontario Human Rights Commission. At the same time there are specific actions, such as compulsory affirmative action, that can be taken immediately. Study is important. Action is equally important.

#### RENT REGULATION

Mr Harris: Briefly on the statement by the Minister of Housing, I would like to share the concern of the New Democratic Party that we have a statement here purporting that something is going to be done, with no tabling of what it is the minister plans to do or how he plans to do it.

As I read through the statement, there were a few things I agreed with. At the bottom of the first page the minister says, "It has become clear that some aspects of rent review can be

improved for the benefit of everyone." This is the understatement of the century. I think tenants and landlords universally agree that the current system in place does not work to the benefit of anybody.

I am also intrigued that now we are going to legislate against a landlord's motivation for doing work. Somehow or other a number of bureaucrats, probably another \$5 million or \$10 million worth, are going to be able to look into a landlord's mind and determine the motivation for why he wants to maintain his building or, perish the thought, even improve his building. We are going to legislate against that, it appears. How they are going to get into that landlord's mind and get at the motivation, I am not sure. Perhaps that is why the minister has not tabled any of the regulations yet, and maybe it will take \$5 million worth of bureaucrats just to figure that out.

When is this government going to get at solving the real problem facing tenants? There is a shortage of supply. There are no options available for tenants. When is the government going to invest in the infrastructure required, get the serviced land out there at an affordable price so that we can increase the supply of housing and give tenants a true choice and a true option?

#### **HEALTH CARDS**

Mr Eves: Briefly on the Minister of Health's statement, we have been looking forward to this statement for some years, as the minister's predecessor, the member for Bruce, well knows. He has been promising the new advocate of a smart card or improved computerized system at OHIP for some years now. We will look with interest to see the provisions with respect to confidentiality, which I am sure all members share.

#### **ORAL QUESTIONS**

#### WASTE DISPOSAL

Mrs Grier: My question is for the Minister of the Environment. It is with respect to yet another ticking time bomb of tires, this one outside Hamilton, the owners of which are named Musitano. The Ministry of the Environment has been in correspondence with them for the last two years. In fact, in October 1988 a letter from the ministry read, "This site is currently an illegal waste disposal site." Can the minister tell the House what action his ministry has taken with respect to what he acknowledges is an illegal waste disposal site?

Hon Mr Bradley: As the member would be aware, members of the investigation and enforcement branch of the Ministry of the Environment have visited the site, as well as members of the waste abatement branch of the Ministry of the Environment and members of the office? of the fire marshal of the province of Ontario. She would be aware that there is 24-hour security on the site at the present time.

She would be aware as well that in terms of moving in with the full force of the law, first of all, the amendments that have been proposed to the Fire Marshals Act and to the Ministry of the Environment's act, the Environmental Protection Act in this case, will be very helpful in this regard. Our people have conducted an investigation in this regard and appropriate action will be taken by the legal department.

Mrs Grier: If it was an illegal waste disposal site under the law in 1988, it is still an illegal waste disposal site today. The minister, I am sure, is very familiar with the sections of the legislation—I am talking of sections 40 to 43—that provide that where an owner fails to comply with an order under section 42, the director may cause the necessary work to be done and

charge the owner with the cost thereof. Section 146 says that to run an illegal waste disposal site is an offence against the law.

Can the minister tell the House, have charges been laid against the operator of this illegal waste disposal site? Has a control order been issued against this illegal waste disposal site, and if not, why not?

Hon Mr Bradley: As I have indicated to the member, officials of the Ministry of the Environment's investigation and enforcement branch, as well as the fire marshal's office, are conducting an investigation. Of course when they complete their investigation they will be in a position to lay charges if appropriate. The member will know that charges have been laid around the province under both acts. In fact, if there is evidence that is compelling enough to bring to court, the investigation and enforcement branch always does so. We will be prepared to do so in any one of these instances, whether that one or another one.

Mrs Grier: It was obvious from the questioning yesterday that the minister was not even informed by his officials that there had been a fire at an illegal dump in Hagersville in 1977. In that case the ministry had been looking at the site, saying it was going to do something for three years before we had a massive and tragic fire. It now appears that for two years they have been behaving in the same way at the Musitano dump, and we know that it is only since 13 March that inspections have been made of almost 100 other dumps across the province.

When is this minister going to acknowledge that he has failed to carry out his responsibilities under the Environmental Protection Act, and that there are illegal sites he is not charging? Why will he not issue an order and lay charges as soon as he finds something is illegal? Why does it take two years to get any action?

Hon Mr Bradley: In fact a compliance order has been issued under the fire code by the fire authorities in the province of Ontario. In addition to that, as I have mentioned to the member, there is 24-hour security on the site at the present time, which is independent security to ensure that we do not run into a situation like Hagersville.

#### WATER QUALITY

Mrs Grier: My question is for the Premier. On 11 April 1985 a coalition of environmental groups called the Project for Environmental Priorities sent a questionnaire to all the candidates prior to the election in 1985.

One of the questions, if I may read it, was: "Millions of Ontario residents draw their water from the Great Lakes and yet toxic chemical levels in the lakes have been allowed to reach alarming proportions. Similarly, surface and ground water sources of drinking water have been contaminated by industrial effluents. Do you support the establishment of a Safe Drinking Water Act which would guarantee Ontario citizens the right to safe drinking water?"

The Premier, on behalf of the Liberal Party, answered yes to that question in April 1985. Since 1985, I have had a private member's bill before this Legislature calling for an Ontario Safe Drinking Water Act. Can the Premier explain why his government has done nothing to guarantee safe drinking water for the citizens of Ontario?

#### 1440

Hon Mr Peterson: I think the minister could tell the honourable member of the significant number of initiatives that have been undertaken by this government in the last few years.

The Speaker: It has been referred to the Minister of the Environment.

Hon Mr Bradley: I thank the Premier very much for referring that question to me this afternoon. He is always kind enough to do so in these situations.

I want to tell the member, as I think she would know, that we have in the province of Ontario a drinking water surveillance program which is certainly second to none. I do not know of any other jurisdiction that does as much testing of its water as the province of Ontario.

The drinking water surveillance program of course looks for well in excess of 100 potential contaminants. It does a mass scan that allows them to pick up any other substances that might be there. It services municipalities to the extent of 80 per cent of the population, as it is expanding each year. The parameters, as I say, are simply not duplicated elsewhere.

In addition to that I would mention to the member that the measurements take place in parts per trillion in some circumstances, and in some circumstances parts per quadrillion. So with that kind of drinking water surveillance program, with the plant optimization program we have at many of the plants in the province of Ontario, which are to enhance the treatment that takes place at many of these, with the municipal-industrial strategy for abatement program that we are in the process of implementing—

The Speaker: Order. Thank you; supplementary.

Mrs Grier: His ministry officials spent three years surveying the tires in Hagersville too and a fat lot of good that did us.

I did not ask the minister about his surveillance program; I asked him why we had no standards in this province. The minister must know, as he so frequently says I must know things, that what we operate under in Ontario are outdated guidelines that were established in 1978 and that only cover 50 of the up to 1,000 toxic chemicals found in the Great Lakes.

How can the minister stand in his place in this House and attempt to tell the people of Ontario that we have a drinking water program when we do not have any standards of our own against which those parameters can be measured? Has the minister really any confidence that the health of the people of this province is being protected by his ministry's drinking water program?

Hon Mr Bradley: I draw to the member's attention the fact that we have in this province, through the programs we have established, a design to get at the potential sources of contamination that we would see anywhere in the province of Ontario. That is what the municipal-industrial strategy for abatement is.

In terms of the standards she talks about, of course we have the Department of National Health and Welfare which provides standards for us and is the lead agency in this regard. They are highly respected in many fields by people who are aware of the work they have done, work that is supplemented by universities in this province and in this country. In addition to that there are standards which are provided by the World Health Organization, the United States Environmental Protection Agency and ourselves. All of this is designed to ensure that we have water in this province that is superior to what it is in most parts of this world. Wherever we identify problems in this province, we go in to try to solve those problems as quickly as possible.

Mrs Grier: The minister seems to be content to compare us to parts of the world that are acknowledged to have no drink-

ing water standards. Some parts of the Third World are better supplied with drinking water than parts of this province.

How can the minister stand in his place today and attempt to say we have good drinking water standards when the guideline level that we are going by in Canada for one of the parameters, trihalomethanes, is 350 parts per billion and the World Health Organization calls for 30 parts per billion? There are cities in this province with, and I quote just a few of them, Ottawa, 240 parts per billion; Brantford, 178 parts per billion; Peterborough, 153 parts per billion.

The World Health Organization says that 30 parts per billion is what we should be aiming at, and perhaps even that is not safe. How can the minister justify the fact that there are no legislated standards for drinking water in the province of Ontario? Is that world class?

Hon Mr Bradley: As the member is well aware, the Department of National Health and Welfare has established those for all of Canada, and the department—

Mrs Grier: Let Mr Bouchard do it.

Hon Mr Bradley: No, it is not Mr Bouchard in National Health and Welfare; it is the Minister of Health and Welfare in that particular case.

It has established those standards as the lead agency, as the agency which establishes drinking water standards in this country. The member may also be aware that the federal government, through the Department of National Health and Welfare, is reviewing that particular standard at the present time, and I am supportive of improving that standard, and I believe that is what you are going to see. We have supported that. I have supported that in the province of Ontario, and I expect that through the review that the federal government is undertaking, National Health and Welfare is undertaking, that is exactly what will happen.

In addition to that, with regard to the substances that you are talking about, through the drinking water surveillance program in the province of Ontario, which covers at least 41 municipalities at the present time, the utilization of chlorine for the purpose of disinfecting is one aspect of it that is being brought to the attention of individual operators in order that they can have a more efficient system.

Mr Speaker: Thank you. I would remind all members that I have a surveillance program also, keeping time on the members and the responses.

#### TIRE DUMPS

Mr Brandt: My question is for the Minister of the Environment. The Minister of the Environment is probably aware that the Musitano-Port Hope site is in fact about one third the size in terms of total tire volume of Hagersville, so it is a very substantial site indeed. Some 16 months ago the Ministry of the Environment determined that site was illegal. In the case of Hagersville, the minister indicated that there was nothing he could do because of legal complications and that there were really no steps he could take until this matter walked its way very slowly and very carefully through the courts. Why, after 16 months, did he do absolutely nothing with the Port Hope site until after the Hagersville fire?

Hon Mr Bradley: First of all, I want to indicate to the member that the figures he uses as one third of the site are not up-to-date figures, that in fact the Ministry of the Solicitor General, through the fire marshal's office, has done an inventory of it and has determined that rather than the five million or

whatever he is suggesting, there are in fact 800,000 tires on the site. I do not wish to diminish what the member is saying. I just wanted to bring him up to date as to what the fire marshal's office has been able to provide in terms of information.

We have had members of the investigation and enforcement branch at that site, conducting an investigation. The fire marshal has also put a compliance order on, and with the 24-hour, round-the-clock security we have at the present time, we have considerably diminished the risk of the same problem occurring at this site.

Mr Brandt: With respect, that is all after the fact. Back in May 1988 the minister wrote to this particular company indicating very clearly that there had to be some steps taken to clean up this site, that the tires had to be piled in very neat little stacks in order to reduce the risk of fire. There had to be fire extinguishers onsite. There had to be a reservoir of water that was onsite. The response the minister received was that the owners of this site could not afford to comply at that time and refused to take any action whatever.

I ask the minister why, back in May 1988, after writing and requesting that the owners take these particular steps, he did absolutely square root of nothing until such time as the Hagersville fiasco broke. Can the minister justify to this House his total sense of irresponsibility as it relates to this question and his inaction on the whole issue of Port Hope?

1450

**Hon Mr Bradley:** I do not think this was in Port Hope, but Mount Hope.

Mr Brandt: Mount Hope, sorry.

Hon Mr Bradley: I know the member probably meant that

As I say, first of all there has been a legal dispute which has existed as to whether depots are in fact waste management sites. That is, I understand, involved in a legal litigation matter at this time, whether it is a waste management operation that requires such a certificate.

What happened with the Tyre King situation was, I think, a recognition that the laws we have on the books at the present time are not sufficient to carry out all of the activities the ministry would like to carry out. That is precisely why the fire code is being amended by the Solicitor General, through the fire marshal, and that would more likely apply in the circumstances that the member is talking about, but also in this and perhaps in many other circumstances the changes to the Environmental Protection Act would have the positive effect of allowing us to have the kind of undisputed powers that we would like to be able to solve these problems.

**Mr Brandt:** For the record, if I might, by way of clarifying, it is Mount Hope rather than Port Hope. I apologize to the minister.

But in the case of Mount Hope I would say to the minister once again that there was a time frame that elapsed between May 1988 and today in which he took no action whatever. It is interesting to note with respect to both Hagersville and Mount Hope that no new laws have yet been passed by this assembly, no steps have been taken to give the minister additional powers and yet he has, as a result of the Hagersville fire, increased the security around a number of these tire sites and, second, he has brought about certain improvements without any new laws. Why would he not have taken those steps earlier, why would he not have done something to protect the interests of the residents

21 MARCH 1990

of the Hagersville area and now why is he doing nothing about the Mount Hope situation, which potentially could be a serious problem as well?

Hon Mr Bradley: The legislation that we are proposing, both the Solicitor General and I, for the purpose of dealing with these matters—and indeed I think it will be positive in other areas—will, as I have indicated on a number of occasions, prevent automatic stays of ministry orders that are being appealed. The appellant will have to apply to the appeal board or court for a stay to suspend the requirements of the order. That is one aspect of it. It will allow the ministry, if it believes the work itself must be done immediately, to carry out the order at the taxpayers' expense. Even if a stay is granted, the Ministry of the Environment would then have the power eventually to get on to the private property and ultimately the courts would decide whether or not we would be able to recover our funds, if in fact our contention was justified.

Under the legislation as it stands at the present time those powers are certainly not clear and the people who act on a daily basis in the legal department of the Ministry of the Environment, some of whom may have been there when the member was there, have indicated that under the powers that we had the actions they took were the strongest possible actions and it was unfortunate, they believe, that the individual in this case, or any other individual, would not decide to comply with the act and would spend money on legal cases instead of spending money on complying. But certainly the changes to the legislation that arise partially from this experience will solve that problem.

#### WATER QUALITY

Mrs Marland: My question is for the Minister of Health. We are not getting anywhere with the Minister of the Environment and we want to at least give this government a chance to protect the health and safety of the people of this province.

I am sure that the Minister of Health is following the CBC at Six series on drinking water with the same concern as I am. I can only describe last night's series as being horrifying and shocking. I know, as was mentioned earlier this afternoon, that the fact that we have a standard of 350 for trihalomethane count in Canada, as opposed to 30 proposed by the World Health Organization, must be of concern to the Minister of Health.

When Canada's level is the highest in the western world, and we have heard about what is happening in the cities around Ontario, this is a truly alarming situation. In the interest of protecting public health, will the Minister of Health undertake to immediately review and lower the trihalomethane limits in drinking water for the province of Ontario and will she consult with her federal counterpart in the development of a new national—

The Speaker: Thank you.

Hon Mrs Caplan: I am going to properly refer this question to the Minister of the Environment, who referred to the federal standards.

Mrs Marland: Oh, what a copout.

**The Speaker:** Order. I understand it is referred to the Minister of the Environment.

Hon Mr Bradley: To answer the question the Minister of Health has referred to me, I think the member would be aware by now that the Department of National Health and Welfare, which has the responsibility of setting drinking water standards in Canada, is in fact reviewing this particular standard and that I

have indicated my support for that. I think that indeed there is a good opportunity that this is going to happen. I am certainly hopeful of that. I know that there has been consultation with various provinces, there has been consultation with the scientific and technical community right across the country on the part of the federal minister and I am sure that the federal minister will take the action that he deems appropriate.

Mrs Marland: This is the most irresponsible copout of this Liberal government yet. We do not have a Minister of the Environment and obviously now we do not even have a Minister of Health. Do you not care about the people in this province in terms of drinking water? The fact that the Minister of Health could not answer the question and had to refer it—

Hon Mr Elston: I never expected that from you, Margaret.

Mrs Marland: I guess you don't even understand what it means.

The Speaker: Order.

**Hon Mr Scott:** Free Margaret Marland. Free Margaret. Oh Andy, free her up, let her go.

Mr Brandt: Does it sound like I'm muzzling her?

The Speaker: Order, the Attorney General. Once again, thank you, I would remind the honourable member, when I recognize her for a supplementary question she should place her question through the chair. You have already placed a question, you know, but please place your question through the chair.

Mrs Marland: Mr Speaker, I will place the question through the chair, with great restraint. I think one of the things that these ministers, both the non-Minister of Health and the non-Minister of the Environment, and I may even say the non-Premier, who refers these subjects as well—

Interjections.

The Speaker: Order. I am asking all members; I would like to be able to hear the question immediately.

Mrs Marland: My question obviously now has to be to the Minister of the Environment. I hope he understands my question because the fact of the matter is that in order for the Minister of the Environment to answer this question he has to understand that adding chlorine creates trihalomethane in water that already has contaminants and organisms in it. It is the Ministry of the Environment that is recommending that the people in this province add Javex to their water. That is the minister's standard in 1990 for drinking water in Ontario. I ask him, how can they know how much and whether it is safe? And if the Minister of Health does not care about it, does he?

#### 1500

Hon Mr Bradley: I am surprised that she would not have the faith in the Department of National Health and Welfare, with Perrin Beatty as the minister, with the scientists, the health experts and so on that they have there, who are at the present time in the position of reviewing their standard for THMs in this country in consultation with others in the scientific community and the technical community.

The member mentions as well the use of chlorine in terms of the decontamination of water. She would recognize that it is essential. It is a matter of using it in certain instances and in certain quantities and certain ways which will reduce the potential effects. Remember that a couple of days ago, she may have been asking questions about other substances—

Mrs Marland: No, I wasn't here a couple of days ago.

Hon Mr Bradley: Well, yesterday—about a number of substances, bacteriological substances that can arise, and this of course is why virtually all municipalities in Ontario add chlorine to the water, in fact, to disinfect it, to kill those substances.

What we have to ensure and what we are doing, of course, through the municipal water supplies in this province, is ensuring, through the plant optimization program that we have developed, that operators are in a position to use chlorine that they use in their systems in the best possible way to reduce the production of THMs.

Mrs Marland: It is shocking to know now that the Minister of the Environment does not know that there is an alternative to adding chlorine in the water. Perhaps if he knew a little bit more and showed a little bit more concern, even his staff would have been able to have described for him the method of ozonation.

My question is this: In light of the fact that ozonation is a technology already being used in many cities in this country, including some in Quebec, and in light of the fact that he should be interested primarily in the health of the people of this province, who need drinking water, I ask the minister, as someone who obviously is now charged—

The Speaker: Place the question.

Mrs Marland: —with the health of the people of this province, since the Minister of Health is not, will he promote a change in the water treatment technology so that other options such as ozonation replace—

The Speaker: Thank you.

Hon Mr Bradley: The member, having watched the television program, has quickly jumped on to ozonization, and that is one method which is used in many parts of the world. I just want to point out to her that oftentimes you will hear about other methods of treatment of water—and that is not a new method, by any means—which from the initial reaction sound as though they are the answer, except you have to recognize that they do have some down sides as well.

For instance, ozonization takes care of the bacteriological contamination right at the source, as it comes in, but it does not on down the system. In other words, if it gets by the initial system, it does not continue to disinfect through the system.

There are various studies, some of which we have funded as a ministry, in conjunction with Health and Welfare Canada, in conjunction with universities and so on, studies such as Ozonization as an Alternative to Chlorination for Drinking Water, which we shared with the Department of National Health and Welfare, which is responsible for setting those standards. The Ministry of the Environment and Health and Welfare Canada both sponsored a study entitled A New Water Treatment Method for THM Precursors and Synthetic Organic Removal—

The Speaker: Thank you.

Interjections.

The Speaker: Order. What a waste of time.

#### FOOD BANKS

Mr Allen: I have a question for the Premier of the province. On 5, 6 and 8 March, at my urging, representatives of food banks and emergency food services across the province came before a legislative committee in order to tell us the

graphic details of hunger in this province. By latest count, he is the Premier of a province where 196,618 persons monthly patronize food banks in order to feed themselves. That is half of the total social assistance case load. It is a large number of working people. Half of that group are children.

If this situation is not acceptable to the Premier, would he please explain to the House why the elimination of hunger in Ontario is not right at the very top of the agenda of his priorities?

Hon Mr Peterson: I think the minister can tell the honourable member of the significant number of initiatives we have undertaken to combat the very problem my honourable friend speaks of.

Hon Mr Beer: I want first of all to say that I believe the sitting of the standing committee on social development brought forward a number of groups, experts and those who are experiencing poverty to set out in detail and to bring to all of us in a public way a much better sense of the kinds of problems that are being experienced. I think that is why it is important to underline that coming out of the committee's hearings, I believe, was in effect support for several of the major program thrusts that we have taken, in terms of the \$415 million that was brought in last year and is being implemented through this year, in looking at the question of basic shelter and basic needs and in terms of providing more opportunities for people to move off social assistance and to get jobs.

I think what this government has been trying to do and will continue to do is to attack those fundamental areas of putting more money into individuals' pockets so that they can move off social assistance if they are able to take on employment or so that they will have an adequate amount of income coming in to look after their shelter and their basic needs.

Mr Allen: I guess I can understand why the Premier would not want to tell us why this particular question was not right at the top of his agenda. At the presentations, one of the operators of a food bank told us the story of this box of macaroni and cheese, which cost 69 cents in the store, on its way to a hungry person via a food bank. Someone buys this box and takes it home, then at some point decides to take it to a collection agency, like a firehall. Then a truck comes from a food bank and takes it to a food bank where it gets sorted and stored and put in order on a shelf again. Then it is taken by an emergency food service provider, where a parent will come and pick it up and take it home to feed his kids. Think of all of the extra waste, energy and cost that go into all that movement and handling—

The Speaker: And the supplementary?

Mr Allen: —just because this government does not provide the 69 cents directly to that person to buy it off a shelf to feed his kids.

How can the minister, or the Premier, justify such an irrational and wasteful way of getting food to hungry people?

Hon Mr Beer: I think it is terribly important to recognize that the amount of money that has been added to our whole area of social assistance over the last year is beginning to have a real impact, and that is to put more money into the pockets of those individuals who are receiving social assistance. Clearly the best way to end the use of food banks is to provide people with money that they can use to make the choices around shelter and around food. That is the critical way to go and that is where we should be adding our funding.

21 MARCH 1990

I think we are doing that, we are putting that money into the system. I would tell the member that since September, for those people who are receiving assistance, whether it is under family benefits or under the general welfare assistance at the municipal level, we see a real increase in the number of people with more earned income, and that is beginning to say to us that that is where the funds should be going. That is beginning to have a real impact.

#### 1510

We have also said that we are going to be implementing a review of the supports to employment program to see exactly how those funds are having an impact on the whole system and on the use of food banks. We are working closely with all of those who are involved.

But I would remind my honourable friend-

The Speaker: Probably at a later time.

#### AGRICULTURAL INDUSTRY

Mr Villeneuve: My question is to the Minister of Agriculture and Food. The minister knows very well that these are very unsettling times for supply-managed commodities and producers based on GATT decisions and other very unsettling statements made recently, the minister's own Food Industry Advisory Committee report and now yesterday's announcement by Ault Foods Ltd, Ontario's largest dairy processor, that it might close if it cannot buy or operate at competitive prices and costs. What is this government proposing to do to address both the producer and processor concerns regarding the price of raw products here in Ontario?

Hon Mr Ramsay: I would like to tell the honourable member that in the last five months probably 50 per cent of my time has been concentrated on this particular problem. As the member knows, free trade has really acted as a catalyst in the rationalization of the food processing and producing industry. What we are doing is strengthening our Ontario Farm Products Marketing Commission, making sure we get equal processor representation on there, strong producer representation on there, working with our officials.

I, personally, and my deputy minister, have been working with the CEOs of the various food processing companies and also the heads of the commodity producers.

Mr Villeneuve: It is very annoying when we hear the largest dairy processor in Ontario stating that it may leave the province unless something is done regarding operating costs and the cost of the raw product. The minister's report here cites Ontario taxes, red tape and other levies as factors which make our food industry uncompetitive and vulnerable to competition. That is in the minister's own report.

Considering how many communities and people, as well as producers, depend on food processors, how does the minister in charge of both the processing and the production of these products intend to react to these statements? And he will have to react.

Hon Mr Ramsay: We have already begun to react to this port and I would remind the member that the report is advice to this government, advice to the Minister of Industry, Trade and Technology and myself who had asked the food industry to form a committee and report information to us.

I would say to the member, though, that we are working with our marketing boards, we are asking them to produce strategic plans in the next two years and we are quite prepared

to help them with the expertise and the resources to do so, so the Canadian agriculture and food industry can be competitive and sustainable.

#### TRANSIT SERVICES

Mr Adams: My question is for the Minister of Transportation. Now that the Via Rail service between Peterborough and Toronto is no longer with us, I am, more than ever, concerned about the extension of GO Transit into and beyond Oshawa. I wondered if the minister could advise the House of the status of that extension project.

Hon Mr Wrye: I guess this is a good day for this question to be asked, because one of the stages of the process that is now under way will take place tonight with the regional municipality of Durham. We have split the Oshawa GO process into two stages for ease of handling and, quite frankly, to speed the process up.

Stage 1 will see us moving into the westerly half of Oshawa, with stage 2 moving us right through the community of Oshawa to the far east end. The environmental assessment process is well under way in terms of consultations, and indeed council meetings are being held beginning tonight—or began earlier this week—and will continue for the next week or two. Public information centres will be held, I believe, at the beginning of April.

We hope, in short, if we can complete the process smoothly and if all goes well in the EA process, we can be under way in terms of construction early next year, with completion hopefully scheduled for the very end of 1992.

The second stage of the process will take longer, but we are trying to move this thing forward just as quickly as possible for the people of Peterborough and indeed all the people in that eastern part of the province.

Mr Adams: I am grateful for that additional information. I wonder though, in the meantime, what alternatives are available for the people of Peterborough who want to commute to Metropolitan Toronto? How should they get to work at the present time?

**Mr** Cousens: Put a GO train in. Get a GO train from Peterborough.

**Hon Mr Wrye:** My friend the member for Markham is so provocative, and we are so constantly expanding the GO train facilities up his way.

But the member asks a good question. I think some actions have been taken. Voyageur Colonial has been in the market for a long time with its bus service and it continues to offer a number of options, including now an option either directly to downtown Toronto or to the GO train station at Whitby. As well, Trentway-Wagar has now moved into the bus system and is also carrying passengers outside of Peterborough.

Finally, I know the member will want to know, as will those from within that area, that our very aggressive construction timetable for the four-laning of Highway 35-115 is still on schedule in spite of a number of difficulties. We are hopeful that by the end of 1992 that very important linkage between his community and Highway 401 will be complete.

#### FRENCH-LANGUAGE SERVICES

Mr R. F. Johnston: I do have a question for the Minister of Education, and it has to do with the recent ruling in Alberta about French language rights by the Supreme Court on the Mahe versus Alberta situation. I presume the minister, like

myself, has had a chance to read this thoroughly. I wonder if he can tell me what he thinks the impact of the following statement by Chief Justice Dickson is on Ontario. "In my view, the measure of management and control required by section 23 of the charter may, depending on the numbers of students to be served, warrant an independent school board." Can the minister tell us what he thinks the impact of that kind of a decision is going to be for Ontario?

Hon Mr Conway: Mr Speaker, I want through you to thank my friend the member for Scarborough West for raising a very important and timely issue. I can tell him that the officials within the Ministry of the Attorney General and the Ministry of Education are, as we speak, very carefully analysing an extremely important court judgement, and I would rather not comment until we have concluded the assessment of what is a very significant and complex judgement.

Mr R. F. Johnston: I can understand why the minister would not want to comment, especially when, following that comment by Mr Justice Dickson, there are other things about minority rights on boards which pertain to challenges which he is being challenged on in the courts right at this moment in Ontario.

I guess what I would like to know from the minister is, rather than putting the francophones of Ontario through the court system when there is this very comprehensive ruling down, when are we going to hear from him and the esteemed Attorney General, who is quoted in this ruling, as to what Ontario is going to do about this ruling in the near future?

Hon Mr Conway: My good and learned friend the member for Scarborough West very helpfully observes that the matter of his question touches upon some litigation currently before the courts in Ontario. Of course he, like me, would not want to in any way prejudice that consideration in the courts.

I would, however, want to remind my friend that in Ontario, the minority language legislation that we prepared and introduced as a new government in 1985 took into account the very helpful judgement of the Ontario Court of Appeal which was rendered on reference, I believe, in June 1984 and which outlined very clearly and, we thought, very helpfully what the charter would mean in so far as the Canada clause in Ontario and the whole question of minority language education are concerned. He knows that chronology, and I do not want to take him through all of that, but I do recognize the importance and sensitivity of this. But I can tell him that we are still in the process of analysing the judgement, and I will keep him posted on a priority basis.

The Speaker: New question. The member for Parry Sound.

#### **NURSING SERVICES**

Mr Eves: Mr Speaker, I was just over here briefing the Minister of Health on our question.

Seriously, in the past year and a half, there have been some 242 children who have had heart operations postponed at the Hospital for Sick Children. One of those surgeons who has had quite a few postponed is Dr Bill Williams, who was recently quoted as saying that the problem can be traced to one thing only: the lack of intensive care nurses. I wondered if the minister agreed with that statement by Dr Williams.

Hon Mrs Caplan: As the member knows, I am very aware of, particularly interested in and concerned about the trends and the impact on, particularly, downtown Toronto around issues

concerning nurses. It is the reason that I brought in a significant package of nursing initiatives to change the culture, improve labour relations and in fact give nurses more say in hospitals. The situation in downtown Toronto is somewhat unique in the province and it is also the reason that we have established the kind of networks to ease and speed access, particularly for children who require cardiac services in this province.

#### 1520

Mr Eves: A lot of those statements were all very interesting, but I do not believe that they addressed the specific question that was asked.

The nursing unit administrator, Mary Jo Haddad, also at the Hospital for Sick Kids, said: "We need higher wages for our nurses. The only thing that has not been instigated by the institution is a major addressing of the salaries we pay to nurses." Then she goes on to say that the province should increase wages of nurses according to experience, expertise, education and responsibilities. She also says a cost-of-living premium should be paid to those nurses who live and work in Metropolitan Toronto. I would like to know whether the Minister of Health agrees with those statements by Mary Jo Haddad, and if so, when she plans to implement them so that we can address the severe nursing shortage in Ontario.

Hon Mrs Caplan: I am pleased to have an opportunity to clarify for the member opposite the role of the Ministry of Health. In fact, the nurses are employees who work for the employers, the hospitals. The negotiations are between the nurses and their hospitals. The Ontario Nurses' Association, the union which represents some 50,000 nurses in this province, canvassed the views of nurses and in fact members of the nursing profession themselves, while they have many diverse views, have never requested, negotiated or supported either specialty pay or regional wage rates.

I know that these issues are under consideration by the union and I will refer the member's question to them for consideration.

#### NATIVE COMMUNICATIONS

Mr Miclash: I have a question for the Minister of Culture and Communications. As the minister will know, I spoke yesterday in a statement to the House regarding the federal cutbacks as they affect my riding, and particularly to the funding of native communications. What can the minister do to help the valuable radio, newspaper and television services for the native people in Ontario?

Hon Ms Hart: I can say to my friend from Kenora that the federal government is sending a very clear message by slashing funding to native communications organizations. It is denying our native communities access to their language, their heritage and their culture. It is attempting to silence those native communities.

I can also say to my friend from Kenora that my staff has already met with the executive director of the Wawatay Native Communications Society, and we are working on bringing together various provincial ministries to find a solution to what can only be called another federal faux pas.

May I add that, unlike what we read in the Globe and Mail yesterday morning, our meeting will not take away any money from native communications.

Mr Miclash: As we know, at the present time people are being laid off, programs are being shut down and time is presently of the essence. I am just wondering if the minister can give us any of her particular or specific plans to aid the native people across the province.

Hon Ms Hart: May I say to my friend that I clearly understand the need for action in this area. I have instructed my ministry officials to bring me a plan outlining a proposal for support of native and francophone broadcasting in Ontario as soon as possible.

May I add that this government is clearly committed to supporting our minority communities. We are certainly not afraid to let them talk to one another.

#### WORKERS' COMPENSATION BOARD

Miss Martel: I have a question to the Minister of Labour concerning recent events at the Workers' Compensation Board. The first concerns vocational rehabilitation counsellors, and I assume his government would be worried about this, given its supposed commitment to rehab in Bill 162.

On 28 December, 120 people were advised in writing from the board that they had been given permanent positions with the Workers' Compensation Board beginning 1 January 1990. Many of those people gave up their permanent positions and went to the board for those permanent positions.

On 1 March, the same 120 people were advised in writing again from the board that the board had overrecruited and overstaffed rehabilitation and, lo and behold, these people no longer had permanent employment with the board. In addition, none of the workers has been guaranteed that after the present sixmonth contract finishes he or she will in fact be taken on in a temporary position. I would like to ask the minister if he thinks this is an acceptable labour practice at an agency of his ministry.

Hon Mr Phillips: It is true that the board did overrecruit for the positions. As I recall the circumstances, they were individuals on probationary contracts, and I think the board, as I am told, wanted to ensure that people with seniority were offered positions that were available. So that is the first thing; I think these 120 individuals are on probationary contracts.

The second thing, I am told, is that it is the expectation that there will be permanent jobs available for those 120, not in exactly the role they were hired into, but in other roles. I recognize that it has been a dislocation for those individuals, but the people with more seniority are being offered the permanent positions, and I am told that the 120 will be offered alternative positions at approximately the same rate of pay.

Miss Martel: If you look at the letter of confirmation, it says very clearly that they "will be transferred to our permanent staff." They were all hired as new rehab counsellors. They did not work for the board before.

The second event that I want to bring to the minister's attention now deals with claims adjudicators. Several weeks ago, claims adjudication staff at the board were asked to fill in a survey on alternative work hours. They were clearly told that in filling out the survey they were not under any obligation to work those hours. On 13 March 1990, all of those people received a memo from management stating that whatever they had filled in on that survey were now the hours that they were going to work.

I want to ask the minister if he thinks that is an acceptable practice in an agency of his ministry and, if not, what is he going to do specifically to get to the bottom of this?

Hon Mr Phillips: Indeed, I have been told that the requirement to work different hours than they had been accustomed to

would be entirely voluntary. I think the board is attempting to provide service not only through the day but also at night.

I intend to look into the matter the member has raised, because it is my understanding that it would be entirely voluntary. I think if indeed an individual filled out the questionnaire on the assumption it was merely a questionnaire, there is some question in my mind whether he is required to live with what he said in that questionnaire. The operating principle for me would be that a change in the hours would indeed be voluntary, which is what I think they have been assured, and I will assure myself that is the case.

#### ST BRUNO CATHOLIC SCHOOL

**Mr Jackson:** I have a question for the Minister of Education. What arrangements has he made, as the Minister of Education, to assist the children at St Bruno's school?

Hon Mr Conway: The member raises another very timely issue, and I am pleased to report that the Metropolitan Separate School Board has made an arrangement to relocate the students, I believe effective at the end of this week, from St Bruno's to the Cardinal Carter school in North York. The Ministry of Education has been working with the school board and we expect to be supporting the school board in some of the busing costs that will accrue as a result of that change.

#### 1530

Mr Jackson: It is my understanding that the school board has not had any direct contact with the minister's office with respect to support. The school board has had to make a very difficult decision, but it was a decision that had to be made in the best interests of the safety and the health of the children in that school. It is a temporary decision, which is at best going to last until the end of August with the alternative accommodation arrangements. What guarantees will he give as Minister of Education to the parents and the children that his ministry will help the separate school board to find a solution, an affordable solution, to this problem?

Hon Mr Conway: I want to take this opportunity to congratulate the school board which has worked very effectively over the last little while to resolve a serious concern, certainly in terms of the situation that the parents and students felt was the—well, the note makes clear that the school board has been dealing with the central regional office. The regional office has made plain that we intend as a ministry to support the school board in the additional busing costs that will be developed as a result of this transfer.

I can assure my honourable friend who quite frankly would want me to repeat that I expect that working with the Ministry of Education and with the ministries of Environment and of Labour—we all intend to work very diligently to resolve the issues around the St Bruno's site because clearly we are all motivated by that which is in the best interests of those students.

#### **ONTARIO ECONOMY**

Mr Chiarelli: My question is to the Treasurer and it relates to comments that the Prime Minister of Canada has directed to Ontario over the last several weeks blaming Ontario for fuelling inflation. He blames this on excessive spending by the government of Ontario. The residents of Ottawa West would want to know how the Treasurer would respond to this allegation.

Hon R. F. Nixon: I thank the honourable member for notice of the question. I too was surprised that the Prime Mini-

ster in various cities, including Halifax, had indicated that the fiscal policy of the province was responsible for the inflation and therefore the interest rate and therefore the inappropriate value of the Canadian dollar. I felt that he was giving Ontario far too much credit for a problem which was much more closely associated with the fiscal policy of the government of Canada.

I think most honourable members would be aware that it is not government expenditure that causes inflation; it is deficits that cause inflation. The members of the House would share—we all share—in the pride that our fiscal capacity has enabled us to reduce our deficit from close to the \$3 billion level in 1985 now to a balanced situation where we hope to have a surplus of \$11 million this year.

Mr Chiarelli: It is my understanding that the federal government is now spending 35 cents of every dollar towards debt servicing. I would like to ask the Treasurer how this compares with Ontario, first, and second, what impact does this type of debt servicing have on inflation in Canada?

Hon R. F. Nixon: The relative number in Ontario is about 10 cents. I think the honourable member would agree that the inflationary impact of the increasing deficit in the federal fiscal policy announced this year, which is in fact \$2 billion higher than it was last year, is a matter of great concern.

But the impact here also is in the federal minister's attempt to reduce his expenditure by reducing the transfers to the provinces, particularly Ontario, in the established programs that we are aware of that are intended to support medicare and post-secondary education. This is particularly important as the pressures continue to come on for improvements in our colleges and universities and, more particularly, in our hospitals.

Less than a decade ago, the government of Canada paid 52 per cent of the cost of medicare, and this year it is expected that would be reduced to 37 per cent. In the last six years, the transfers to the province of Ontario have really been reduced by about \$1.2 billion, and it really is impossible to make up that kind of shortfall. The hospital administrations have to do their best under these very difficult circumstances.

The Speaker: That completes the allotted time for oral questions and responses.

I hope the members do not mind me drawing this to their attention. We have been getting along for quite some time without using too many props in this House, and I noted today we had three. I just hope that maybe we can continue in the future having members speak without bringing props into the House. It would be much appreciated.

#### **MOTION**

#### PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Offer moved that, notwithstanding standing order 94(h), the requirement for notice be waived with respect to ballot item 40.

Motion agreed to.

#### **PETITIONS**

#### GREATER TORONTO AREA

**Mr Philip:** I have a petition to the Legislative Assembly of Ontario:

"Whereas the Peterson Liberal government has decided to charge drivers of greater Metropolitan Toronto \$90 per year for a car licence plate while at the same time only charging residents of other parts of Ontario \$33 per year for identical licence

"Whereas the same Peterson government has in this year's budget imposed other taxes and levies on the people and businesses of greater Metropolitan Toronto which will not be imposed on those in other parts of Ontario;

"Whereas these taxes which are not based on income or profits hurt seniors and others on fixed incomes;

"We, the undersigned, petition the Legislature of Ontario to express to the Liberal government our great disapproval of its policies of tax discrimination against the people of the greater Metropolitan Toronto area."

There are 10 people who have signed it, most of whom live in my riding, some of whom do not.

#### CONTROL OF SMOKING

Mrs E. J. Smith: I wish to present a petition on behalf of the late Dalton McGuinty, who had it in his care at that time.

The petition is addressing the matter of smoking in the workplace and ends up as follows:

"We respectfully submit that the Ontario government enact comprehensive legislation which will severely restrict the presence of environmental tobacco smoke in both work and public places to reduce the senseless death and disability of many of our citizens."

#### INTRODUCTION OF BILLS

#### ONTARIO LOTTERY CORPORATION AMENDMENT ACT, 1990

Mr Black moved first reading of Bill 114, An Act to amend the Ontario Lottery Corporation Act.

Motion agreed to.

Hon Mr Black: This legislation proposes to add the words "protection of the environment" to the existing beneficiaries specified in section 9 of the Ontario Lottery Corporation Act. By allocating lottery funds for environmental protection the government is taking positive action to ensure that the people of Ontario can enjoy the health benefits of a clean and safe environment, a commitment this government made in last year's speech from the throne.

#### NATIONAL CAPITAL CHILDREN'S ONCOLOGY CARE INC ACT, 1990

Mr Eves, on behalf of Mr Sterling, moved first reading of Bill Pr8, An Act respecting National Capital Children's Oncology Care Inc.

Motion agreed to.

1540

#### REPRESENTATION AMENDMENT ACT, 1990

Mr MacDonald moved first reading of Bill 115, An Act to amend the Representation Act, 1986.

Motion agreed to.

The Speaker: The member might have a brief explanation.

Mr MacDonald: The purpose of this bill is to change the riding name of Prince Edward-Lennox to Prince Edward-Lennox-South Hastings.

#### CITY OF CHATHAM FOUNDATION ACT, 1990

Mr Bossy moved first reading of Bill Pr61, An Act to incorporate The City of Chatham Foundation.

Motion agreed to.

#### ROYAL CANADIAN LEGION ACT, 1990

Mrs Sullivan moved first reading of Bill Pr44, An Act respecting the Royal Canadian Legion.

Motion agreed to.

#### GURSIKH SABHA CANADA ACT, 1990

Mr Curling moved first reading of Bill Pr58, An Act to revive Gursikh Sabha Canada.

Motion agreed to.

#### ORDERS OF THE DAY

#### WITHDRAWAL OF BILL 83

Mr R. F. Johnston: As tempted as I am to ruin things, I will not, Mr Speaker.

Mr R. F. Johnston moved that the order for second reading of Bill 83, An Act to amend the Education Act, be discharged and the bill withdrawn.

Motion agreed to.

#### TIRE FIRE

Mr Kormos, on behalf of Mrs Grier, moved motion 1 under standing order 42(a):

That this House deplores the government's failure to safeguard and improve the quality of the Ontario environment in general; and that in particular, this House deplores the government's failure to use powers available to it under existing legislation to prevent the recent massive, dangerous and toxic fire at Tyre King Tyre Recycling Ltd near Hagersville, powers which would have protected the health of people and the environment in the Hagersville area and more generally in southwestern Ontario; and the minister failed to pursue fully the remedial measures outlined in his order to Tyre King Tyre Recycling Ltd of 22 January 1987; and for all these reasons, the House no longer has confidence in this government.

**Hon Mr Offer:** Mr Speaker, if I may, I seek unanimous consent to divide the time equally among all three parties.

The Speaker: That request has been made by the acting House leader. I understand there is unanimous consent that the time will be allotted equally among the three parties, and also, according to the standing order, at 5:50 the debate will conclude.

Mr Kormos: Earlier today, at the beginning of the sitting this afternoon, during the time allotted for members' statements, I spoke a little bit about Ontario Tire Recycling Inc down in Dain City in the southern part of the city of Welland.

First of all, that scenario is very important to those people who live in Dain City and indeed in the city of Welland, and south of them in Port Colborne and north of them in Thorold and in St Catharines. It illustrates, among other things, that the phenomenon at Hagersville is probably not unique, certainly not isolated. It illustrates as well that the government's lack of interest, lack of preparedness, lack of responsiveness, lack of concern about the incredible impact that tire dumps like Ontario

Tire Recycling have and the catastrophes that can be associated with them is not isolated to Hagersville.

The people in Dain City have been living with Ontario Tire Recycling for some time now. I should tell members that the city council of the city of Welland zoned the lands upon which Ontario Tire Recycling is located and the neighbouring people as rural-agricultural, notwithstanding the strong and articulate arguments by spokespeople on behalf of Ontario Tire Recycling that its plot of land in the midst of this rural-agricultural land should be zoned industrial to accommodate tire recycling.

City council has given the message loud and clear that this is not a suitable location for a tire dump, which is what this location is, or a recycling plant. It does not belong in residential neighbourhoods; it does not belong in rural-agricultural neighbourhoods; it does not belong immediately adjacent to the old Welland Canal where, in the event of a fire, in the event of a catastrophe, there is a collecting pond for the effluent, for the oil, right in the old Welland Canal, from which communities like Welland take their drinking water.

The Minister of the Environment thinks he has problems now with the quality of drinking water. Just wait until Ontario Tire Recycling lets the contaminants that result from burning tires flow into the Welland Canal. The minister ain't ever seen nothing like it. I will tell you this, though, Mr Speaker. The city council is concerned because the city council made it quite clear, when it zoned that land, that that land was rural-agricultural, not industrial land.

What the people of Dain City find incredible is that not only is the ministry tolerating the continued operation of that plant, but it is tolerating it notwithstanding that that plant, that location, that dump, Ontario Tire Recycling, has been charged—the charges are currently being processed in the court—and that some of the actors involved have acknowledged to the local Ministry of the Environment officials that they knew they were in a conflict, that is to say, that they were noncompliant with the prevailing law.

They knew that they were not abiding by the legislation, and specifically, in the case of the Dain City location for Ontario Tire Recycling, the charge according to the press was starting a separate scrap tire processing plant without getting a certificate of approval and exceeding its storage capacity of 1,000 tons.

#### 1550

The evidence at trial to date is that the personalities involved told the Ministry of the Environment inspector that they knew they were in a conflict but planned to continue processing tires and asked for the ministry's co-operation. I say that asking for the ministry's co-operation under those circumstances, where you openly acknowledge that you are violating the law, is asking for the ministry to be involved in collusion with a very dangerous and illegal process.

This company is facing one charge for its failure to get a certificate and exceeding its storage capacity of 1,000 tons in Dain City where it is surrounded by small farms and residential areas, and where it is adjacent to the old Welland Canal. In an adjoining community, this same company is facing 11 charges for its operation in the city of Port Colborne—11 counts of violating its certificate of approval. Adelstein, who is the current president of the company, mind you, has pleaded not guilty to those charges.

What is remarkable according, and very legitimately so, to the people of Dain City—once again I am talking about good people and hardworking people who have made major investments in their homes and in their community, people like Harold Froude, people like Peter Monaghan, people like Bonnie Valeriote, people like Edith Rominger who own their homes there and have grown up in those neighbourhoods, and want to see their children and grandchildren safely grow up in those neighbourhoods.

What is of incredible concern to them is not just that Ontario Tire Recycling is permitted to carry on its storage and recycling operation there in Dain City, but that there is almost half a million dollars earmarked by the Ministry of the Environment as a grant to Ontario Tire Recycling once it clears up its little legal problems.

The people of Dain City say, "How can the government advance money, first of all, to scofflaws who would openly defy the legislation and admit that they were doing it, and with a wink and a nudge"—a wink is as good as a nudge to a blind man—"how would the ministry dare set aside almost half a million dollars' worth of taxpayers' money for a company that clearly illustrates that it has no intention of ever complying with the law, for a company that clearly indicates that it has no intention of ever complying with the spirit of the zoning, for a company that persists in having its highly dangerous operation take place in a residential neighbourhood?"

The people I have talked about, the people of Dain City—Ann Wood, Ed Lochhead, Renee Kiers and Lise Plamondon—people like those are concerned, angry and afraid because they know that Hagersville is not an isolated scenario. They know there is no preparedness on the part of the government and they know that all the facts, as they stand now, illustrate that the government is not just prepared to condone this, but indeed to sponsor it.

I support this resolution. I support it not just from my own perspective but from the perspective of those hundreds and thousands, perhaps tens of thousands, if not more people, who find their health, safety and welfare jeopardized by the continued presence of uncontrolled tire dumps.

Mrs Marland: I rise today to speak in support of the non-confidence motion that is on the floor of the House. As it deals exclusively with the problems which face the environment of this province in 1990, I must say at the outset that the recent toxic and dangerous fire at Tire King Tyre Recycling Ltd near Hagersville has only been, as far as we are concerned, another nail in the coffin as to the confirmation about what exactly is going on with the environment in Ontario today because of the lack of concern by this Liberal government.

I will not read the motion into the record again because that will be printed in Hansard ahead of the previous speaker to myself. Since it is a nonconfidence motion of the official opposition of this House, it is on record.

I do want to say right up front, however, that our party, the Progressive Conservative Party of this province, wants to congratulate all those people who were involved with fighting the fire at Hagersville. I know that yesterday my colleague the member for Leeds-Grenville made a statement of congratulation and appreciation for the efforts of those individuals.

I think this fire was an example where the staff of the ministries did their job, and certainly they were left to cope because we did not have any ministers around who seemed to be either concerned about the fire or even acknowledged that it existed for the first week it was burning. But I also think it is terribly important to recognize that the volunteer firefighters who coped with that fire for the first six days that it burned were risking their own personal health and safety.

Frankly, it is certainly true that for most of us who have relatives or friends or family members who serve in volunteer firefighting departments, we know what a tremendous risk those people at Hagersville put themselves under when there was nobody in the world, it seemed, there to help them. Certainly the provincial Liberal government was nonexistent at the beginning of that first week of the two-week fire. So I want to really say that the congratulations and the appreciation of all of us in the Progressive Conservative Party go to the volunteers and professional firefighters for their outstanding efforts, both the volunteers in the first week and the professional staff who assisted in the second week.

I think it is very important to understand what issue is being debated this afternoon. We are talking about the nonaction of this Liberal government in terms of safeguarding and improving the quality of the Ontario environment in general and in particular addressing the issue of this fire.

We had a statement yesterday in the House by the Minister of the Environment where he told us that everything was fine in Hagersville now. Of course, the fire is out, there is nothing wrong with the water, there is nothing wrong with the air and all their tests prove that everything is fine. He said that there is a little soot in some of the houses and that the government is very generously going to clean the houses inside and out. It is embarrassing. In fact it is completely irresponsible of this government to think that because the fire is out and it has done this local testing of conditions, the Hagersville tire fire is now a nonissue.

Nobody will ever be able to address specifically what the long, far-reaching damage to the environment will be from the plume that came from that fire for the two weeks that it burned. Nobody has followed that plume through the environment. We have no idea how far-reaching that damage is.

What is really sickening to all of us who are concerned about the environment is that the whole thing should never have happened. It would never have been allowed to happen if the Minister of the Environment had been doing his job.

This Minister of the Environment talked yesterday about the fact that the tires have been piled there for a number of years. However, it was this Minister of the Environment and his staff who issued the order to the operator of that tire dump to comply with the regulations of the ministry and the fire marshal's office.

Interjections.

Mrs Marland: Just to put on the record the sequence of events so that those Liberal members who are interrupting me at this point and may not have the background of this disaster in their own memory bank, I would like them to give me the courtesy of perhaps listening and then they will understand why the blame for this fire lies wholly and totally at the feet of the current Minister of the Environment.

In January 1987, the member for St Catharines fingered the legal roadblocks.

1600

Mr Curling: Not in 1977.

Mrs Marland: The member for St Catharines was the Minister of the Environment in 1987. Then the Ministry of the Environment advised the company to make its site safer. In order to do that, they were asked to do four things: one was a security fence to keep out intruders who might start fires; two, an onsite water supply to fight fires; three, tires sorted into

smaller piles no higher than 10 feet; four, lanes 10 feet wide between piles to give fire trucks access.

This was not frivolous advice. This tire dump had caught fire in 1977, 10 years before.

Mr Miller: Who was the government at the time?

Mrs Marland: The Hagersville fire chief, Ronald Slote, recalled the fire took seven hours to subdue. Changes were not made, so the ministry upgraded its advice to its order.

Mr Miller: Who started that one?

Mrs Marland: I think it is amazing that for someone I respect in this House, as I do the member for Norfolk, a member who is as experienced as the member for Norfolk, his blind faith in his Liberal government would put him in the position this afternoon that all he can do is prattle and interject and he will not listen to the facts. That is his choice. I would ask that he give me the opportunity to speak without interjections, since they are out of order.

Since the changes were not made to this site, the ministry upgraded its advice to an order, so it was no longer advising the owner of the site, it was ordering the owner of the site. The ministry lawyer, Bruce McMeekin, told the board—this is the Ontario Environmental Appeal Board, and this is the board that heard the appeal of the tire owner when he said, "No, I'm not going to do what the ministry's told me to do." The ministry lawyer said, "Given the gravity and the risk materializing at this site, I don't believe the requirements are unreasonable." In April 1989 the Environmental Appeal Board upheld the ministry orders for the site and agreed it was a hazard that could cause "a very serious disaster."

We now know that the statement made by the Ontario Environmental Appeal Board was true. It has been a very serious disaster, and the delays that held up safety improvements at the Hagersville tire dump had dragged on for three years with no resolution in sight. Surely it should have occurred to Ontario's lawmakers that the law did not work fast enough for public safety.

In case the government members in the House today who are looking for an opportunity to speak think that my comments are totally partisan, I want to just read into the record some quotes from journalists who I would assume are neither Liberal, Conservative nor NDP.

First of all, I quote from the Toronto Sun of 4 March 1990, where Michael Bennett says, "Bradley was nowhere to be found for the first four days of the province's most spectacular environmental disaster." Later, in the same newspaper, the quote is, "If the environmental laws are overly cumbersome, then why hasn't Bradley changed them?"

Also, in the Hamilton Spectator on 20 February of this year: "The tax should bring in \$40 million a year. For their money, Ontarians expect results." In the Kitchener-Waterloo Record on 20 February 1990, "Neither minister, Bradley or Nixon, has accepted the blame for what amounts to a \$45-million annual ripoff." I will address in a few moments why that tire tax is a ripoff.

This is another quote from the editorial of the Ottawa Citizen, 20 February: "On Sunday, six days after the tire dump erupted into flames, the Ontario government announced the formation of a joint response team. If the government is seriously concerned about preventing similar disasters, it must learn to act faster than that."

The final quote I will use from a journalist, Michael Bennett in the Toronto Sun, is of today's date, 21 March. Mr Bennett in the Toronto Sun, is of today's date, 21 March.

nett says: "What is he? An idiot? Environment Minister Jim Bradley says one of the reasons he didn't do anything about the Hagersville tire dump until 14 million tires were torched by an arsonist is because the opposition never asked him about it in the Legislature."

I just think that perhaps sums up the actions and the attitude and the commitment of this Minister of the Environment. He is only going to do something about it if we in the opposition parties ask him. I think it is shameful. I think it is absolutely shameful.

When we talk about where the minister was before this, I think it is time for us to look to where the Globe and Mail published an interview with the minister. He had no answers; blamed the disaster on Mr Straza for spending money on lawyers and not on compliance order; expects the damage to be considerable. He said the damage was very serious and could be the worst environmental disaster, but also said it would be viewed differently if it had happened 10 years ago; then a rubber fire would not draw as much interest. He promised financial aid to residents, says Mr Straza would be asked to pay costs of the cleanup. It would be interesting to see how you get blood out of a stone.

He rejected suggestions that the government could have gone in and made the dump safer, citing the Charter of Rights; also rejected the suggestion that the government misled voters with the \$5 tire tax. The problem is that this Minister of the Environment just rejects everything. He does not want to accept any responsibility. It would even be more creditable if Mr Bradley had said: "You know, we really made a mistake. We should have gone in there two years ago and prevented this disaster from ever happening."

Also, where is the Minister of Health in all of this? The federal Minister of the Environment, Mr Bouchard, sent in a team of experts to monitor the health effects. Of course, we learned this afternoon, when we were discussing the subject of water and when I asked the Minister of Health a question today on protecting the drinking water of the people in this province, that she did not even answer the question. She refused this afternoon to answer my question and referred it to the Minister of the Environment. So we do not have a Minister of Health either. We are in a very serious state in this province as far as I am concerned.

I might also say that the Solicitor General took six days after the fire was started to announce anything to indicate that he was concerned. He announced a joint response team to work with local officials to set up an information network, give full-time wages to the volunteer firefighters and co-ordinate tests on drinking water. Is this not interesting? The Solicitor General is co-ordinating the tests on drinking water, not the Minister of the Environment, not the Minister of Health. I guess we are lucky that we have a Solicitor General, perhaps, who has enough intelligence to realize that if his other ministerial colleagues in the cabinet are not doing their job somebody has to do it. But even then, it took the Solicitor General six days after the fire to act.

#### 1610

The Ministry of the Environment's bungling of dealing with this tire fire is also reflected in its bungling of other potential crises. I want to give as an example a toxic dump site in Rednersville, near Belleville. I happen to have a copy of a letter here today that I wrote to the Minister of the Environment on 18 January. Incidentally, today is 21 March. I would suggest it is more than two months since I wrote that letter and I still do

not have a reply. I want to say to the Minister of the Environment that this situation, which I wrote to him to deal about, to do with the dump site at the farm owned by George Crowe near Rednersville is something that was identified by his ministry 18 months ago and still nothing has been done about it.

We seem to have a situation where the Minister of the Environment thinks that it is fine to stand up in this House and give nonanswers. He seems to think that the people of this province will accept that. The people of this province will not accept it. Why is it that the environment is the number one concern for everybody in Ontario, and indeed Canada, today? Certainly we know it is an accelerated concern in the province of Ontario because time and time again, tragically, we have evidence that the Liberal government is not concerned about the environment and certainly that this Minister of the Environment is not concerned.

It is rather ironic that the CBC television series CBC at Six is continually identifying environmental concerns. I expect now that the Minister of the Environment is quite happy that CBC television does his research, quite frankly. I think it is shameful, irresponsible and disgusting that we in this Legislature, with the kind of bureaucracy this Liberal government has—and it has added 8,000 bureaucrats, it has increased the staff of the province in terms of the Liberal government ministries by 8,000 in the last five years. With 8,000 more people working for them, why would they require and depend on CBC television to do their research? But that is in fact what is happening. Everything they are doing is reactive to somebody else's research and discovery.

I think it was shameful yesterday when the Minister of the Environment admitted that he did not know there had been a fire at Hagersville in 1977, pretty embarrassing stuff.

We also have other examples about this Minister of the Environment that I will not take the time to go into today, but we could talk about the delays of implementing the municipal-industrial strategy for abatement. We could talk about the failure to take action to introduce a new air quality regulation to replace regulation 308. We have been waiting for that now for four years.

We could also talk about the slowness in reviewing and modifying the environmental assessment process, with the result that the government is now designating short-term interim sites for the greater Toronto area in terms of landfill sites and subjecting them to a less-than-thorough assessment under the Environmental Protection Act rather than the Environmental Assessment Act. That is how this government works. It does not do anything, it does not make decisions until we get to a situation where we have no time left.

The Environmental Protection Act is not an act that sufficiently investigates whether a sanitary landfill site location is safe for the environment, yet last August the Premier of this Liberal government made the announcement that for the next period of time in the greater Toronto area, where we have the biggest garbage crisis in the history of this country, the landfill site selection process would no longer go under the full environmental assessment of the Environmental Assessment Act but under the short-term provisions of the Environmental Protection Act.

What was so significant was that it was the Premier making the announcement, not the Minister of the Environment. Here was a major change in environmental protection policy and nowhere to be found was the Minister of the Environment. Can members believe that? No Minister of the Environment. Suddenly the Premier is the Minister of the Environment.

I think that as far as taking time this afternoon to get into the legal technicalities as to what sections of the act were available to the Minister of the Environment to prevent the Hagersville fire is concerned, it is not necessary for me to go into those details. Simply suffice it to say that he did have powers available to him within the last two years to prevent that fire from happening. That is where it is a criminal irresponsibility on the part of this Ministry of the Environment.

I have to say this because it is very significant: When this Minister of the Environment chooses to use his ministerial power in terms of a ministerial order, he does. The region of Peel had selected its sanitary landfill site, and I am talking about four years ago. They were on the road down to the environmental assessment hearing for that site, and it was then a full hearing. Suddenly, at the midnight hour, this Minister of the Environment issued an order to the region of Peel that it could not proceed to its environmental assessment hearing on that site; it had to go back and re-evaluate a number of sites and come back to a new hearing. That order, that threat, by this Minister of the Environment was interesting from two points of view.

First, it may now be purely coincidental that the site that we had selected in the region of Peel was owned by Ronto Development Corp, and I do not have to remind the Speaker that Ronto Development was a company in which Patti Starr's husband was the major shareholder. It was rather a coincidence that suddenly the site selection for the region of Peel's landfill site was put back on hold by this Minister of the Environment.

Second, that action by that minister forced the taxpayers of the region of Peel to spend between an additional \$3.5 million and \$4 million to go and evaluate other sites; re-evaluate, because they had already done an evaluation to where they had come to select the one site anyway.

So there is this Minister of the Environment saying: "Okay, Peel. We don't want you to go any further. You cannot proceed to your environmental assessment. I'm issuing a ministerial order to stop you from doing that." How come this same minister did not issue a ministerial order, or use any other section of the act that he wished to use, to force the operator of the tire dump in Hagersville to comply with his order to remedy a very unsafe situation? He could have done it. The fire could have been stopped.

In fact, the environmental lawyer David Estrin was quoted in the Globe and Mail—and I may say that David Estrin is a very highly regarded environmental specialist in law—as saying that the ministry has had the legal means since 1983 to get around Ed Straza's delaying tactics. According to Mr Estrin, a 1983 amendment to the Environmental Assessment Act allows the ministry to ask that a control order be carried out even though it is under appeal, the very thing I have just said. The amendment covers cases where it is "necessary or advisable to prevent or to reduce a hazard" to people or the natural environment.

The minister knew there was such a hazard, as his official, Christiaan Beek, testified in evidence given in 1987 and 1988 to the Environmental Appeal Board, that if the tires were to catch fire they could release an estimated 17 million litres of oil, which could pass into the ground.

Mr Estrin also said that it was determined by the Ministry of Environment's regional director in 1985 that Straza was operating an illegal waste disposal site. The minister could have ordered Straza, the Tyre King operator, to remove the tires, and if he had not complied the ministry could have done the work

and sued the company for the cost. This fire could have been prevented.

#### 1620

I really feel that regardless of the announcements by the Solicitor General there were options that were available to him too. The Fire Marshals Act provided the government with the power it needed to have reduced the hazard quickly, efficiently and effectively. The fire chief of Hagersville area had the power under this act to prosecute the owner of Tyre King for violating the Ontario fire code, and because the fire code contains regulations of general application, its provisions cannot be appealed.

An article in the Toronto Star quotes the deputy fire marshal, Roy Philippe, as saying that if an operation is not run in compliance with the regulations, the fire chief can prosecute and, even though the owner can appeal the conviction, the fire chief can see to it that the work is done regardless of any legal delays.

The same Toronto Star article quoted Gord Yoshida of the fire marshal's office saying that the Ontario fire code specifies that refuse in salvage yards should be in piles of certain sizes, separated by lanes of three metres wide. Complying with the fire code would have required Tyre King to separate his 14 million tires into more than 100 smaller piles. Then, if a fire had started, it would at least have been easier to manage and unlikely to spread. So if the Minister of the Environment did not think he had the powers under the Environmental Protection Act, why did he not consult with the Solicitor General to utilize the powers under the Fire Marshals Act?

We are, of course, left to wonder, did these ministers really care? Did the Minister of the Environment really care? As with so many cases, he refused to take action until a disaster forced him to do so. The bottom line is, if the minister did not think that the Environmental Protection Act was sufficient to make Ed Straza, the owner of the dump, take action or to allow the ministry to do so, then he could have taken steps to amend the Environmental Protection Act before the disastrous tire fire took place. The Minister of the Environment could have taken action. There is just so much evidence to support that.

Finally, I want to talk for one minute about the betrayal of the Ontario taxpayers. I want to talk about the tire tax that was announced by this Liberal government in its budget speech last year. Any logical government, in making an announcement for a taxation to provide a program, if it were logically planning and honestly thinking, would have the program in place before it started taking the money. But not this Liberal government. This Liberal government has collected in excess of \$30 million in tire tax since it implemented its tax collection, and when did we get the tire recycling program announced? I will tell members. Since we cannot enter into a debate, I will tell members that we did not get the program, we have not had any announcement of the program, we have had no knowledge of what this Liberal government was going to do with the money collected under the tire taxation until after the tremendous environmental disaster of the fire at Hagersville.

So in spite of the fact that this government refused to support my amendments to the tax bill implementing the tire tax, where all the money collected would be designated for tire recycling programs—it voted down those amendments; it would not agree to honestly pass a bill up front collecting money and say where the money would go—it did not have a program in place. The people of this province who pay taxes were betrayed, and they continue to be betrayed, by a Liberal government which thinks it is fair and above board to collect

tax for a purpose and never follow through with expending the money that is collected under that tax.

An environmental menace and hazard and potential that was waiting to happen as the biggest environmental disaster in the history of this province happened only because it was allowed to happen by this Liberal government, and now after the fact we are getting all these wonderful announcements that, "Everything's fine around Hagersville." "What about the other locations?" "Oh well, we're going to have some security guards here and there."

Their incompetency is unbelievable. It is frustrating, day in and day out, to hear how this Liberal government's nonaction and reaction take place. They never do anything that is proactive except one thing: they take money. This Liberal government will tax and tax. They will put titles on it—tire tax—and we never hear anything about where that money goes and where it is spent. Even the programs they finally announced amount to about \$16 million. The fact they have collected \$30 million has nothing to do with it; there is still \$14 million and we do not know what they are spending it on. But we still did not get that announcement until after the tire fire.

In fairness, I have to adjourn my comments at this point. Obviously we could talk about the disaster of the Liberal government, as well as the disaster of the tire fire, for another four or five hours, but I will adjourn my comments at this point.

Hon Mr Offer: I rise today to speak against this motion before this House. In fact, in some of the time allocated to me I hope I will deal with some of the comments made by the member for Mississauga South, especially in respect of the response to the fire at Hagersville. I say her response and her comments were incorrect. Second, in dealing with her interpretation of the Fire Marshals Act and the powers permitted under the Fire Marshals Act and the code, I state categorically, from the comments of the member for Mississauga South, that her interpretation is also incorrect.

Let me say that the unquestionable priority for any government is to look after the safety and security of its citizens. In that regard, this government acted in identifying the problem at the Tyre King waste site and in seeking to enforce remedial action to minimize this potential hazard. I emphasize that the operative term here is to minimize, since I think it is fair to say that the strongest laws and regulations cannot ever fully protect the citizens of this province from blatant criminal acts. It is important for the members of the House, especially opposite, to recognize that this fire was a result of a criminal act, an act of arson.

After saying this, I would like to outline in some detail those steps which were taken by this government to address the potential hazard posed by the tire site in question. In 1986, the owner of the site was served with an order under the Environmental Protection Act. The Environmental Protection Act was utilized as it was the most appropriate tool available to this government. The order under the Environmental Protection Act incorporated two sections under the fire code, those provisions—3.5.2.1 and 3.5.2.2—which specifically deal with the piling of tires, the way in which they are to be piled, the distance between the piles of tires and the distance between those piles and the property line or any building.

So the first point to be made is that the fire code, as part of the Environmental Protection Act, was in fact used. The Environmental Protection Act was used because it provided a mechanism, a means, with which we could not only deal with contraventions of the fire code, but also deal with securing the premise with fencing. We could also deal with the question of water reservoir, we could also deal with the question of general fire control measures and we could also deal with how the tires on the particular tire site were to be dealt with, those unprocessed tires. So this type of action, this appropriate type of remedy, was used because it provided to us the most comprehensive way in which we could deal with all of the aspects of this particular tire site.

#### 1630

Let me underline, and it is clear, that at this point the government had identified the potential hazard at the tire site and it had taken measures, through the appropriate regulations, to require remedial action, but the owner then exercised a right to appeal. He launched an appeal before the Environmental Appeal Board, which is his right. As we know, before this process had a chance to run its course, a criminal act occurred. The tire fire was started by an act of arson. No matter how strict or how severe the law, government does not have the ability to guarantee total security in the face of such criminal intent.

Since this fire, the government has reviewed all the options possible to minimize the possibility of any similar occurrence. Last week I announced a series of measures, measures designed to broaden the scope under the fire code but also to strengthen the Fire Marshals Act, whereby corrective work could be taken in light of a potential threat to the environment. Let us be clear, especially in light of the comments of the member for Mississauga South, that that particular right, that particular authority, does not exist presently in the Fire Marshals Act. Let us be specific again that the particular code provisions now apply only to the way in which the tires can be piled and deal with the distance between the piles and the distance between the piles and property or buildings. That is what is there now.

We have, through my announcement of last week, decided to broaden the type of code provisions available. With the regulation under the code, not only will we be able to deal with the piling of tires, but we will also now be able to deal with the water reservoir and with security fencing. Those things are not permitted currently under the legislation but, under the announcements of last week, will be available in the future.

The member for Mississauga South alluded to the response of this government to the fire at Hagersville. I think that the important point to be made at the outset is that this fire was handled in an incredibly professional manner. In that regard, it is important to compliment and congratulate all the individuals who took part in fighting this particular blaze. But let's make no mistake about it: This provincial government was involved from day one. Advisers from the office of the fire marshal and officials from the Ministry of the Environment were at the scene the first day.

There was a mutual aid regional co-ordinator involved who called in resources from the surrounding area. Command posts were established by the second day. Heavy equipment was brought in and there was already a call for a water bomber, through the Ministry of Natural Resources, which was brought in, not one week, seven, eight or nine days later; we are talking two, three days into the fire. So to say that the provincial government was not involved in the fire from day one is just to blind oneself to the facts of the matter.

Yes, we did create a joint response team, and that joint response team was established as a formalized mechanism really to deal with an already existing informal structure and to provide direction and advice for putting out the fire as quickly and environmentally safely as possible. It was this provincial government which committed that all the resources necessary to

put the fire out as quickly and environmentally safely as possible would be provided. Those resources would take the shape of equipment, personnel and in fact, as we know, the evacuees' out-of-pocket expenses. So to say that this government was not involved in fighting this particular blaze until seven or eight days later is incorrect.

It was an example of a co-operative, consultative effort, not only by the provincial government but also by the municipal government and the regional government, and it is to them that congratulations must also be extended because this showed how a fire which, when first broken out, was estimated to last three or four months and, through consultation, co-operation and provincial commitment to resources, was put out in just 17 days.

In conclusion, it is clear that this government took measures to address the tire waste situation not only after the fire broke out but, indeed, before. I want to emphasize again that when we are faced with criminal intent, such as was the case at Hagersville, the best intentions and strongest regulations cannot give a total guarantee of safety and security. Every member of this House shares the common goal of ensuring that every possible precaution is taken so that another incident of this type cannot occur again.

My announcement of last week dealing with the strengthening of the Fire Marshals Act and dealing with the broadening of the fire code is indeed directed to that purpose. After taking all these facts into consideration, I ask that members of this House strongly oppose this motion.

Mrs Grier: I would like to thank the other members of the House who are participating in this debate today on the motion that I have placed in Orders and Notices, but I particularly welcome the support from the member for Mississauga South and regret the defensive attitude taken by the Solicitor General and his ministry's refusal to recognize its very real failure to deal with a crisis that occurred and to prevent that crisis from occurring.

For those of us who care about the environment, there is no real pleasure in pointing out the failures of the government to do what we all hope it will do. To say that the emperor of the environment wears no clothes, in this particular case, is to understate the situation. I think it is fair to say that the entire government is stark, staring naked when it comes to actually acting on protecting the environment of this province, and that is frightening. It is frightening to even contemplate such a vision but far more seriously frightening to understand the degree of failure and the amount of risk to which many people are exposed because of that failure.

People today are bombarded with bad news stories about what is happening in the environment. The media, every newspaper, every television station tells us about one problem after another. At the same time, we get confused by conflicting claims from governments at all levels and from industry, each one trying to be greener than the next one. It tends to make people rather cynical and wonder whom to believe.

This government has been particularly adept at playing the public relations game. We all get a raft of press releases announcing every single expenditure, no matter how minute, by the Minister of the Environment. We get wads of self-congratulatory speeches. We even get copies of lectures that the minister has delivered to industry and to the major polluters urging them to do better.

But what the fire in Hagersville exposed so very vividly for everyone to see is, when you look behind that veneer of action, when you examine and toss aside the studies, the strategies, the discussion papers and the green papers, two things are clear. First, there is not much real activity going on in that ministry and, second, not much has changed in the five years since the party opposite took over from the party to my left. After five years in office, the bureaucracy still moves at glacial speed. There does not appear to be any sense of urgency about the need to protect the environment.

The Solicitor General said that no matter how good the regulations are, they had to be implemented and enforced. I could not agree more. It is our position, as we have made very clear in this House, that the minister had at his disposal the tools to prevent the Hagersville fire from happening. It is the lack of will to use those tools, to enforce them, that led to the tragedy. There is no sense of urgency, as I have said, no examination of how they can push the legislation to its limits to make sure that what they are all about is preventing problems, not running around and boasting about how well they are doing after the fact.

# 1640

I feel very sorry for the Minister of the Environment. I think this Minister of the Environment began his term in office by sincerely trying to change the way in which environmental legislation had existed in this province. I think he began by struggling to obtain greater resources for his ministry by having the environment seen as a higher priority within the government. But he has been consistently undercut by his colleagues in cabinet.

There is a complete lack of interest on the part of the government as a whole in environmental issues. We see today that for an issue as critical as the quality of our drinking water the Minister of Health has no answer but passes it to the Minister of the Environment. There is a Minister of the Environment and everybody else ignores the environment.

That is why I feel sorry for the Minister of the Environment; not that I want to suggest for a moment that he is devoid of blame in the matter that we are discussing today, but I felt sorry for him as I listened to his pitiful explanation of his lack of action in the House yesterday.

He tried yesterday to excuse his failure to act. His first reason was saying that the opposition had not asked him to act, that we had not raised the issue, and why have we not, to blame us for his inactivity.

He was asked to act by the residents of Hagersville, who appeared before the Environmental Appeal Board to express their concerns. He was asked to act by the regional chairman of the area, and I would like to read into the record a letter from the regional chairman, a letter that Keith Richardson wrote to the Minister of the Environment on 25 October 1985.

"Dear Mr Bradley:

"Thank you for the opportunity given to Councillor Orval Shortt and I to meet with you briefly in the Legislature yesterday.

"Our concern is the collection of an estimated 12 to 13 million used tires on property located at lot 1, concession 14, Walpole township, and owned by Mr Ed Straza of RR 4, Hagersville.

"The major concern is the pollution that would result to both the air and water if this pile of tires were in some way ignited. Secondary to this is that we understand that liability insurance previously in place has been allowed to lapse.

"I would appreciate your staff investigating this matter and, if necessary, introduce legislation or regulations to better con-

trol possible environmental threats, as we believe this issue to be.

"We thank you for your interest in this matter and trust that some action can be taken."

That, as I say, was in 1985, shortly after this minister, bright-eyed and bushy-tailed, had taken office with pledges to change the way in which the Ministry of the Environment operated.

The regional chairman concludes, "and trust that some action will be taken." How sad that we have to acknowledge that that trust was completely misplaced.

The other person, of course, who asked the minister to act was his very own colleague the Treasurer. We have put on the record a couple of times the statement that the member for Brant-Haldimand made in May 1989 when he said that a fire at Straza's dump would be a worse pollution threat than the PCB fires in Quebec.

I am flattered that the minister feels he cannot act until we in the opposition have raised an issue with him, and I can assure members that if the minister will give me perhaps one sixth of his staff complement and his resources, there is not a single issue that I will leave unmentioned.

The second excuse that the minister gave us yesterday was that the civil rights of the dump owners had to be protected. He conveniently forgot that there were civil rights of the residents of Hagersville, rights of the volunteer firefighters, who were exposed to the toxic fumes, the rights of the surrounding farmers. In opposition, members of the party opposite supported having an environment bill of rights for this province, a bill which I have introduced on several occasions since then and a bill which they consistently have refused to enact into law. They seem to prefer the rights of businesses to operate and to continue to use the law to prevent their having to clean up rather than to recognize that rights work in two ways and that there are the rights of the people of this province to be protected from environmental contamination. Of course, once the fire had occurred, suddenly the issue of rights was not quite so important, as they moved speedily against the owners of other dumps right across the province.

The third pitiful excuse the minister gave yesterday was the excuse that he did not have the power, that he needs new legislation. I would like to put on the record the chronology of events at Hagersville so that that excuse can be finally laid to rest.

In 1977, Mr Straza purchased the property from his brotherin-law. At that point, there were four acres and two to three million tires, and there had been a fire in the building on the site in 1977, prior to Mr Straza's purchase. No less a person than the fire chief of Hagersville, in testimony at the Environmental Appeal Board, said that it took a great deal of hard work and many man-hours to extinguish a burning pile of tires.

On that occasion, the fire started at 5:20 am in the recycling building. By the time the fire department arrived, the building was completely engulfed in flames. The firemen manually dug a 10-foot path through the burning tires around the building and, after some seven hours, managed to extinguish the fire. It was clearly known there was a problem on that site in 1977. Shortly after the minister took office, as I said, he had the letter from the regional chairman that alerted him very explicitly, as a result of a meeting, to the problem.

In 1985, the Ministry of the Environment wrote to Mr Straza suggesting that something ought to be done about the dump, but it was not until 21 January 1987—and I want to put that quote on the record too—that it sent him another letter,

saying: "Of most immediate concern is the danger of these tires, as presently stockpiled, to the public and the natural environment in the event of a fire," and "This report clearly indicates a contravention of the fire code and...outlines the actions required by you to separate the existing stockpiled tires." So in response to the comments we have just heard from the Solicitor General, in 1986 they felt he was in violation of the existing fire code.

It was not until January 1987 that an order was placed on the site, so we are moving a year at a time before we do anything about this infringement, and that order said that the piles of tires had to be limited, that there had to be fencing around the property, and a reservoir to hold water for firefighting purposes, and that 30 days from the date when the order becomes enforceable, no further tires were to be added to the existing stockpiles. What happened? Mr Straza appealed the order, and it was at that hearing, on the appeal, that the testimony of the fire chief, I think, went on the record perhaps of the Ministry of the Environment for the first time.

Other testimony at that hearing deserves repeating. A fire services adviser employed by the Ministry of the Solicitor General testified that if the tire piles caught fire, the fire department would have to use unmanned hose monitors to attempt to control the fire on the site since they could never get proper firefighting equipment to the middle of the piles, and that such a fire would burn for weeks or conceivably for months. The smoke and intense heat from even one of the burning piles would cause immediate evacuation of persons from the property and probably the evacuation of persons from the neighbouring properties. The radius of the evacuation area would depend upon the wind conditions and climatic conditions.

The residents were at that hearing and they were represented by a lawyer. I think most telling of the evidence in the appeal decision is the argument put in by the Ministry of the Environment's own lawyer, who said that the ministry has had numerous dealings with damage to the natural environment and it is the ministry's position that people cannot act in a manner that poses substantial risks to the natural environment. For the past eight years, Mr Straza has run the risk of damage to the natural environment. Given the gravity of the harm that could be caused by the risk materializing, the requirements of the order were not unreasonable.

#### 1650

He urged the board to implement the spacing and piling requirements and, should the board consider the spacing and piling provisions unnecessary, at least the board should not forgo the implementation of the fencing and the water requirements. It begs the question why, in the face of that concern, they did not act to lift the stay of the control order that had come into place after the appeal had been launched.

On 6 April 1989, the control order was upheld. That was over two years from the time it had first been launched. Why, we may ask, does it take two years to go through the environmental appeal process? In that respect, it is interesting to have a look at reports from the Environmental Appeal Board. In their annual report of 1988 and 1989, the board appealed to the ministry for a full-time chairperson and one or more full-time vice-chairpersons because of the significant workload facing the Environmental Appeal Board. This government has refused to give the agencies which it empowers to protect the environment the tools to do the job, and that is one of the reasons we have no confidence in it.

With respect to the staying of the stop on the control order, I referred yesterday in the House to the section of the Environmental Protection Act that in my opinion and in every environmental lawyer's opinion would have allowed the minister to act. The minister says he had to have an actual event, not a potential one. He had an actual event in 1977. He had a fire on the site. The fact that he did not know about it and uses that as an excuse not to act is not an excuse at all, in my opinion.

The story does not end there, because Mr Straza, after the control order had been reaffirmed by the Environmental Appeal Board, once again exercised his civil rights and appealed to the Divisional Court. That was in April 1989. He had 30 days to file documentation. He did not do that. At the end of May 1989, just at the time that the Treasurer was imposing a tire tax and telling us how dangerous Mr Straza was, there was no documentation in the file at the Divisional Court.

The ministry had the power to go in then and ask that the appeal be dismissed. It did not do that. Nothing was done. Why? Because the minister says he was afraid of losing. I suggest that the consequences of not even trying to have that appeal dismissed are far more serious than the consequences of losing, far more serious for the residents of Hagersville.

What is particularly disturbing is that when we talked to ministry officials during the fire about the fact that they had not asked to have the appeal dismissed, the ministry lawyer told us that now that a fire had occurred, there would be no trouble and no problem in going to the courts to have the appeal dismissed. A fire had occurred in 1977. Had they used that as a reason for having the appeal dismissed, it would have been, I am quite confident. There was a concrete example there on the record.

The fact that the minister was unaware of it until I revealed it yesterday is shocking. The fact that this government dillied and dallied and completely failed to prevent the disaster of Hagersville is shocking. The fact that this government is now scrambling after the fact, posting security guards and introducing legislation in order to appear to be taking action and cover its previous inaction is too obvious a ploy to fool the people of Ontario.

Protection of our environment requires more than slick public relations, and it is sad that it takes a crisis to truly reveal the lack of substance to this government's commitment. The gap between its rhetoric and the reality of its behaviour is becoming daily more apparent. The tragedy is that while this government fiddles, the flames of Hagersville have affected for ever the lives and the livelihood of the people of that community.

I have met with and spoken to those residents. They have no confidence in this government's ability to safeguard and improve the quality of Ontario's environment. We in this party have no confidence in this government's ability to safeguard and improve the quality of Ontario's environment.

I ask the members on all sides of this House to signal their distress at the actions of the Minister of the Environment, to signal their understanding of the concern that all of their constituents have about the environment of this province by supporting the motion that is before us today.

Mr Miller: I rise today to take part in the debate on the resolution which has been brought forward by the opposition and which I do not support. I am pleased to have the opportunity to participate in it because I will be the first one to admit this is one of the biggest disasters we have had in Ontario. It has created more interest than perhaps anything in many years.

I happen to live within six miles of this site. We have a farming operation there and we have family that live in Hagersville. As a member of this Legislature, I am as concerned for the environment and the future, not only of that area but of Ontario, as anyone in the Legislature.

When we have a disaster of this magnitude and we are taking the time within the Legislature of the province of Ontario to debate it, I hope we can make some gains in dealing with these environmental issues. The opposition has tried to portray us as the villains, and I would only like to say that I congratulate the government that I represent for moving in, taking over and taking on its responsibilities in a meaningful way.

Today I had the opportunity also of thanking the people in my area, who are only a fraction of the people who should be thanked, because they took the brunt of the load of taking over the responsibility of that fire, which started at 1 am on 12 February. The fire department was at the site at 1:30 am. There were some people there from the Ministry of the Environment in St Catharines at three o'clock in the morning. The Treasurer was there the next day to view and give advice and assistance to that municipality.

I think our government moved very quickly and I am proud of that. I am not proud of the fact that we had a resource of 14 million tires. Those tires have been there, stockpiled since the 1960s. The number had been growing on a daily basis until there were approximately 14 million tires at the time of the fire.

I think every member of this Legislature has to take some responsibility. We all use tires, we all contributed to it, but we have no way of disposing of them. I think as far back as 1982 when we were in opposition and the third party was on this side of the House, we brought to its attention that there was a resource there and suggested it move ahead to harness that resource.

Mr D. S. Cooke: What have you done except put a tax on them?

Mr Miller: At least the minister is moving ahead and trying to get the confidence of the people.

The point I want to get to is to get the people of Ontario to support utilization. Elected government officials are the best ones to stir up the fire and promote it for their own benefit rather than for the benefit of the environment and the people of Ontario: that in my view is wrong, but that is what has been presented here today by both opposition parties.

Before the fire there were possibilities of using this as a resource. As I said, it was a resource. It has gone to waste. Somebody put a torch to it and that resource has gone.

Mrs Marland: If it did not exist, you could not have put a torch to it.

Mr Miller: Certainly. That is what I am trying to say. The opposition has not given the assistance and the support to utilize those tires in a meaningful way.

Interjections.

Mr Miller: Well, that is okay.

As I say, I have been a member here since 1975. We have been trying to come up with a solution and we have not been able to arrive at that solution. I would think the best thing that could come out of this debate today, and that is what we are really debating, is to find a use for the resource.

#### 1700

That brings up another point. There was a member a few years ago—and I know the Speaker who is in the chair was here

at the time—who wanted to burn PCBs in the cement plant at Mississauga. The member, a Conservative member for the government, stood up and said, "No way we can do that," with indications that it was going to be a safe way of disposing, and we have not dealt with that problem since. Many of them are still sitting down at Smithville, and while we could have utilized them—

Mrs Marland: Do you want to burn PCBs?

**Mr Miller:** I am saying, let's move ahead and recycle them, because the United States is doing it.

The other thing I would like to bring to the attention of this debate today is that we have had people in our own area who have come up with suggestions like putting in a shredder that could shred these tires, and again be utilized for fuel, for energy purposes. They can be recycled for other tires. Other countries are doing it.

I hope that the real benefit from this debate is that we cannot have that resource sitting around so it is a potential hazard; we can put it to work on behalf of the people of Ontario and Canada and progress ahead, rather than be strictly critical and just sitting on our hands and not doing anything.

That is really what is happening with those tires today. They are sitting there. That was what happened to that pile that was at Hagersville. It sat there and sat there, and nothing was dealt with. The individual did not have the dollars to deal with it, because, as I said, we have watched it grow. He had to get a return off it before he could remove those.

Mrs Marland: He was allowed to let that pile grow.

Mr Miller: It was a collecting agency. Where else—you have to store them.

I would like to just indicate that the site itself, as I indicated today, has been cleaned up and the water processing has taken place, and for the information of the member for Mississauga South, they are drawing that water back and recycling it in through that plant and it will be discharged.

The other area of concern is—while I toured the site on Sunday and Saturday of this week, the robins are back and the wheat is growing in the field. As a farmer in that area, I think that things are going to continue in a safe manner. The Minister of Agriculture and Food met with the farmers in the area, and all the tests have come up negative and their products are safe to use, the same as any other farmer's. The final thing I would like to think is that I would hope that those reports still come up negative so that our future is protected in that area of Ontario.

Mr Mackenzie: I am pleased to rise in support of the nonconfidence motion of my colleague. I want to emphasize the first two lines of the nonconfidence motion, "That this House deplores the government's failure to safeguard and improve the quality of the Ontario environment in general." Then it goes on to say that in particular it deplores the problem we have had at Tyre King.

I want to first say to the member for Norfolk that if it will make him feel any better at all, I will apologize for using tires and being responsible for this mess in Hagersville.

But I want to say that nothing so clearly outlines the lack of confidence that this House and the people of Ontario should have in this Peterson Liberal government. If there is one issue in this province that clearly underlines the incompetence of this government and the fact that it does not deserve the right to continue ruling in the province, it is its actions on the environment. If there is one issue that justifies the defeat of this government, it is the lack of action to secure a future for our

province, our people and our citizens, and indeed play our role in securing the future of our planet.

We could add all kinds of other issues to this issue, whether it is unfair taxes or the betrayal on auto insurance and free trade and health and safety legislation and pensions and plant closures, but we will leave that for another motion. I want to deal with the environment and I want to deal with it briefly, but I want to deal with it specifically as well.

I want to say to this government that when this motion says we have no confidence because of its lack of action on the environment generally or on the Hagersville situation, the tire fire, it makes a point that is crystal clear and is becoming crystal clear to the people in the province of Ontario. Where is this government in terms of a water policy? We heard some of the debate earlier today and we know that there is more than a little truth to the program Not a Drop to Drink.

We know that we have not been dealing adequately with the water problem for the last several years, and it shows whether it is the wells, the contaminants that are in the water or the condition of the lakes. It has not become a major priority of this government.

Where is this government when it comes to the issue of asbestos? Let me tell members: I do not know what they are getting, but there is not a week that goes by that we do not have another example of problems, whether it is schools or public buildings or you name it. We are not adequately dealing with the health of our kids and the health of teachers in terms of the contamination and asbestos that is in the schools or in public buildings. This government is in a sorry state when it comes to what kind of action it is taking on the issue of asbestos.

Where is this government on dumps, on construction waste? I do not know what those folks are getting from contractors. They are not normally the people who are probably the first to support my party, but I have had more complaints from construction people and from contractors over the increasing prices on dumping, over the fact that if they have a transfer station they are locked into a monopoly because many of the locations for dumping construction wastes have been closed down. The prices are way up and there is absolutely no clear government policy that tells them how they are going to dispose of the waste.

What is happening? The constructors tell me themselves that it is being bulldozed under. It is being burned or buried onsite. The level of waste coming out of some of the construction sites is down by half or three quarters because they do not have the facilities to dispose of that construction waste.

Where is this government in terms of the tire pile at Mount Hope, another issue that was discussed in this House here today? We do not see any answers. We know it has been declared an illegal waste site, and this government has not moved on it. Where were they in the years leading up to the fire in Hagersville? I think the lack of action is damning for this government.

You look at the environmental issue and the toxic substances issue and our water, and you look at efforts to get orders enforced in our plants. Why did we have a walkout of 3,000-odd workers at McDonnell Douglas? Because there were some 650 orders that were not enforced and it took a walkout by those workers before they could get the attention of this government to take a look at that particular issue.

I am simply saying to the members in this House, if there is an issue that this government in the province of Ontario should be defeated on, it is the issue of its actions, or lack thereof, on the environment. It is sort of a sad commentary to think that it took 42 years before the people of Ontario found out just how bad the Tories were. It is significant, I think, that it has taken less than five years for them to begin to find out that the Liberals are just as bad or worse.

I say to the people of Ontario that this government does not deserve support. Whether it is the economic issues I mentioned or whether it is the environmental issues, this government should be turfed out in Ontario. It does not deserve the support of the people of the province of Ontario. The issue is much too vital to be left in the hands of the Peterson Liberals any longer.

Hon Mr Bradley: There are four pieces of legislation that form the legal foundation for pollution control in the entire province of Ontario: the Environmental Protection Act, the Ontario Water Resources Act, the Pesticides Act and the Environmental Assessment Act. Fines under the Environmental Protection Act were doubled in 1989, and prosecutions for environmental offences have more than quadrupled and convictions more than tripled since 1985.

#### 1710

The ministry is proposing amendments to the Environmental Protection Act which would prevent automatic stays of ministry orders that are being appealed—the appellant will have to apply to the appeal board or court for a stay to suspend the requirements of the order—and allow the ministry, if it believes the order's work must be done immediately, to carry out the order at the taxpayer's expense, even if a stay is granted.

Environment Ontario will have power of entry to get on to private property to do such work. It will allow the ministry, in the event it has carried out the order at taxpayers' expense and won the appeal, to recover the cost. The unsuccessful appellant in these cases would have the right to have the cost of the work audited for its appropriateness and reasonability in relation to the order.

Under the legislation as it now stands, the ministry may only take these steps if there is a clear, immediate threat to health or property from an ongoing discharge, a test not legally met by tire piles which are not on fire. The legislation also provides that the costs for implementing safety measures may be shared by previous owners of the operation.

The ministry has also taken other action on tires. Strict measures to secure tire piles in Ontario have been developed. The fire marshal's office and the Ministry of the Environment in conjunction with local fire departments have compiled an inventory of waste tire storage sites in the province of Ontario.

There have been 24-hour security guards posted at nine of the 11 largest sites. The 10th is equipped with a fence and guarded by dogs. The 11th is in in isolated rural area and is virtually inaccessible. The 49 smaller sites storing 5,000 tires or more are being inspected.

The Ontario fire marshal and the Ministry of the Environment staff, together with the local fire departments, will be inspecting each site to ensure compliance with the fire code and the Environmental Protection Act. Notices of violation are being issued for fire code infractions. Letters are to be sent to the owners of each of the sites instructing them to apply for Environment ministry certificates of approval requiring security fencing, buffer zones or other environmental protection.

The actions of the ministries of the Environment and Solicitor General will require site owners to do the following separate the tires into piles no greater than 5,000 tires, with fire lanes between piles to inhibit the spread of fire and to provide easy access for firefighting vehicles; take security measures such as guards, guard dogs and six-foot fences around the sites

construct a reservoir, where required, to provide water in the event of fire.

These security and legislative measures will enable the Ontario government to intervene immediately to eliminate a serious threat to public safety while the judicial process is under way. This joint action by the ministries of the Solicitor General and the Environment, together with the municipalities, is part of a comprehensive plan both to reduce the immediate risk posed by the large tire storage areas and to address long-term legislative and recycling solutions.

Many jurisdictions across North America are seeking solutions to used tires. In Ontario the government has set waste goals: 25 per cent diversion from landfill and incineration to the three Rs by the year 1992 and 50 per cent by the year 2000. These goals are ambitious but achievable. At the last meeting of all the ministers of the environment from across Canada, these Ontario recycling goals were unanimously adopted by all ministers and they are now national goals.

The government is taking a series of steps to win the war on waste. The government will put its own house in order. This includes purchasing policy supporting markets for recycled products, restrictions on nonrecyclable or nonreusable goods within government and maximum recycling or recovery of materials such as office paper and cafeteria wastes. The government's goal is to reach the 50 per cent target well before the year 2000 and to share its experience with municipalities, the private sector and the federal government.

Expanding blue box recycling: Additional products such as mixed plastics, boxboard and corrugated cardboard will be recycled, and the household recycling service will be extended to apartment dwellers. By 1995 close to three million Ontario households will be recycling.

Composting organic wastes: The province will help nunicipalities to assist home owners and householders in seting up home composting units and to set up central composting units.

Private sector waste reduction: Key sectors, such as office owers where there is fine paper, construction companies where here is gypsum wallboard waste, commercial plazas where here is corrugated cardboard, food wholesalers and retailers using corrugated cardboard and perhaps organic wastes, and ast food outlets which are involved with packaging and organic wastes will all be expected to develop three-R programs with provincial help. Regulations will be introduced where voluntary neasures do not achieve desired results. The province will where these costs with the private sector.

The Ministry of the Environment is encouraging recycling. The ministry will invest an initial \$16 million in a tire program his year. More than \$1 million has already been committed to our Ontario companies for sorting and retreading used tires, production of crumb rubber and underpad, flooring and noulded rubber, and for a feasibility study of other processes.

A task force on tire recycling with representatives of the tire ndustry, municipalities and environment groups will provide expertise and advice on new solutions to waste tires. In addition, a ministry study, due in midyear, is focusing on technologies, markets and operators in tire recycling. This \$16-million program includes support for collection, handling and sorting used tires, and the funds will help in sorting and high-grading those tires that can be resold on the used tire market and retreaded before the remaining tires are sent for shredding or making into crumb rubber for new, tire-derived products.

Funds for developing and implementing used tire processing and recycling technologies: Financial assistance will be provided for development of processes like separating crumb rubber from the steel bands of radial tires; storing, handling and processing recyclable materials extracted from the used tires, and tire shredding.

Moneys for research into tire-derived products and market development: Funds will be used to stimulate the development of new products using materials from used tires and to develop market demand for viable products made from tire-derived recycled materials.

A security program to secure cleanup and eliminate large tire stockpiles in Ontario: funds to underwrite the use of recycled tire rubber and rubberized asphalt paving for roads, walks and parking lots.

This initial \$16 million is in fact in addition to an \$18-million enrichment announced last month for our municipal and industrial three Rs—reduce, reuse and recycle—funding. Provincial support for three Rs for 1990-91 totals some \$54.5 million.

This government is taking comprehensive actions to secure tire piles, to amend the legislation to remove the automatic stay and to find solutions to used tires.

Mr Farnan: The people in Cambridge and in the Waterloo region are concerned. Not only are they concerned, but they are expressing more and more to me, as their member, a lack of confidence in this government. The Hagersville tire fire has increased that lack of confidence. Cambridge has confidence in our firefighters. We believe that we have one of the finest firefighting forces in the province, but we do not have confidence in this minister, nor in this government, in their approach to environmental issues.

We are seeing a government that governs by disaster. Whether it is in the health care field, in housing or in health and safety in the workplace, this government simply responds to disaster. It cannot claim that it did not know the seriousness of this situation. The member for Brant-Haldimand six months prior to the fire said it was potentially worse than the PCB fire at St-Basile-le-Grand, Quebec. It knew and it milked the system for millions of dollars, but it took that money and it put a fraction of it into prevention.

#### 1720

In evaluating the situation, we have to ask the question: Where was the Minister of the Environment over the first four days of the Hagersville disaster?

We are shocked at the minister's ignorance of the 1977 fire at Hagersville. The minister could not explain why he had not been told about the previous fire. We are shocked that the minister defends his ministry's failure to enforce a cleanup order imposed in 1987 when that ministry's officials knew of the 1977 fire. We are shocked at the minister's attempt to shrug it off. We are shocked that he can say, "It's because we weren't asked the question." Yet there was a fire and his ministry officials knew.

We are shocked that the minister would suggest that there is no permanent damage to the environment yet. That is not the opinion of the farmers who produce the goods in that area. It is not the opinion of the tourist industry, which will lose visitors. It is not the opinion of the people who will have to drink that water in the vicinity. It is not the opinion of the residents whose property values are no doubt affected.

We have to look at the blame. It is not good enough for the Minister of the Environment to say, "I didn't know the gun was loaded." That kind of defence would not stand up in a court situation. The facts tell a different story. There is a historical record that clearly shows that the ministry knew and did nothing, or if it did anything, it was not good enough; it was far too little.

The government has failed in its responsibilities to the people of Ontario. This is government by disaster. Dogs, guards and railings are not going to solve the environmental problems of this province, and neither will a lottery with revenues generated for the environment. Until this government is serious about the environment and environmental issues, the confidence of the people of Cambridge and of the people of the Waterloo region will continue to erode. It has eroded significantly. Nothing that this minister has done or this government has done in the area of the environment gives us any cause to think that this erosion will not continue.

Mr Brandt: I join this debate with concern because the Hagersville situation is certainly a glaring example of crisis management on the part of the Ministry of the Environment. There is no question whatever that the ministry failed to act in a reasonable period of time as it relates to Hagersville. Any effort that they put forward with respect to Hagersville was really after the fact in a very real sense.

The fire, which burned for some 17 days, perhaps could not have been avoided entirely. I am not going to take the naïve position that the fire could have been avoided simply because of actions taken by the ministry, but it could have been contained. The damage could have been reduced if the ministry had followed through on the kind of responsibilities that are implied in the minister's mandate.

The fire started on 12 February and it was fully four days after that when we first started hearing from the minister as it relates to the minister taking any kind of public position in regard to this fire.

Hon Mr Bradley: Be accurate.

Mr Brandt: The minister says, "Be accurate." I am being accurate as the facts are outlined in this particular case. The minister could have required that the Hagersville tire site be cleaned up in advance, as he well knows, through a fire marshal's order. The act gives the Solicitor General the responsibility in this particular case, encouraged by the Minister of the Environment, to move in where there is a potential fire hazard, which there certainly was in this particular case, knowing full well that some 15 million or 16 million tires could have been subject to an arsonist, an act of God or some other factors that would have resulted in the kind of fire that took place in Hagersville.

The part that is most disturbing about this whole thing is not only the environmental damage that was done, the oil that leached into the ground as a result of the burning tires and the toxic contaminants that were discharged into the natural environment and into the air, but the fact that this government has completely, and seemingly without any kind of second thoughts whatsoever about the steps that it was taking, misled the people of this province as it relates to the 1989-90 budget when it set aside a forecast for some \$30 million, eventually growing to some \$45 million, for a so-called tire recycling program.

Is it not interesting to note that up until the time of the Hagersville fire, \$1 million was spent of the \$30 million they had collected. The long litany of activities now being carried out by the Minister of the Environment did not take place until after the fact, after the problem occurred in Hagersville.

That is why we were trying to warn the minister today in question period about the problems at Mount Hope and at other tire sites and why my colleague the critic for the environment and the member for Mississauga South has been talking for the last couple of days, and has been concerned for some long time, about water quality in this province. So the minister cannot stand up and say: "Oh well, you didn't mention anything about it. You didn't say there was a problem with respect to water quality. How was I, as minister, supposed to know? How was I, as minister, supposed to know about Hagersville? I am completely without blame. I am completely without fault. It's all somebody else's responsibility."

Hon Mr Bradley: I remember your speeches.

Mr Brandt: Well, the minister knows full well that he had a bundle of dollars in the Treasurer's pocketbook which he refused, after calls from this side of the House, to earmark specifically for recycling programs. What did the minister do? He put all that money into that giant pot of cash, which is like a black hole in space, that this government has over there and the money is never to be found again. Is there anybody in this House, on whatever side, who thinks for a moment that the \$17 million that the minister has committed after Hagersville would have been spent if there was not a fire there? That money would never have been spent. That money would never have seen the light of day.

The only reason the minister is reacting now, with respect, is because he had a catastrophe on his hands and he wanted to do some public posturing. The only way he could get away with that, the only way that he could stand before the public and give the impression that he was doing something, was to say, "I've only given \$1 million of the \$30 million so I've got to move very quickly to start putting some additional money into a recycling and a monitoring and a security program for the inventory of tires that are stacked up in this province."

That is simply not good enough. When I say that the minister is acting after the fact, I am appalled that the minister would try to hide behind the so-called legalities of the Hagersville situation when he knows that the record clearly shows that the badge he is given the day that he walks into that ministry makes him one of the most powerful ministers in the government. He has the authority, in fact he has the responsibility, to set aside personal rights. Those rights are subservient to the rights of the public at large in cases of potential environmental problems. The minister knows that full well. Did he do that in the case of Hagersville?

Interjections.

Mr Brandt: I hear some of the members from the government saying, "What did you do when you were Minister of the Environment?" I can tell them that in the case of King township action was taken.

Hon Mr Bradley: That was a toxic waste dump.

Mr Brandt: That was a toxic waste dump; the minister knows that it was an illegal dump. We moved in and we cleaned that dump up without getting any kind of deal set in place with the owners of that particular site. The differences are not all that great, and the minister knows that. He could have moved or that site. He had the legislative authority, with the Solicitor General, to take some action and he did nothing and he would have done nothing if it was not for the fact that Hagersville blew up in his face as a major environmental catastrophe.

This ministry grabs \$5 a tire. Every time you go to buy new car now, you are going to pay \$20 or \$25 additional money

that those tires supposedly can be recycled. That is not what me money is being used for.

#### 730

It reminds me of the concerns that were expressed by my olleagues to the former Minister of Natural Resources when he ut a new fishing licence in place. We said: "Are you going to se this money to assist with the fish restocking program? Are ou going to improve recreational fishing in this province? Are ou going to take some steps to make that particular sport more ttractive?" The minister said, "Assuredly, that's what we intend to do."

We asked him if he would earmark the fishing licence noney for that purpose, and guess what happened? With the est intentions of the minister, one of the best ministers the overnment ever had in that particular portfolio—and, as usual, moved him out, probably because he could not get his way with respect to getting a commitment to get that fishing imroved. I know how desperately he wanted to get it done, because he is a man of sensitivity and a man of intelligence and he new that was the commitment that should have been made, but was not followed through.

This is the same dilemma we find now with the Minister of the Environment. The tax collector collects all of this money and holds it unto himself, and the specific purpose for which his money was intended is just lost in the past history of actions by this particular government. That is simply not acceptable. The minister could have moved. He had the money to do omething about it, he had the resources, he had the authority, but what did he do? It took him four days to even show his face in the Hagersville situation.

That is just not good enough. He may have been working iligently in his office, but he surely made no public statements nd he was doing nothing with regard to the containment of that erious situation up until four days after that took place. The rotection of the public is paramount. Their health and safety as got to come first. This minister failed in that regard. Iagersville stands as a long litany of failures and the minister as got to do a better job. I am going to support the motion of onconfidence.

Mr Adams: It is a pleasure for me to join this debate as arliamentary assistant to the Minister of the Environment. I am lad to follow the leader of the third party in his remarks. I vould like to let members know about the environmental neasures that were taken during the fire and which continue to e taken at the Hagersville site today.

The government is committed to cleaning up any conaminants resulting from the fire. The ministry immediately disatched a specially equipped mobile van to measure air quality. 'his van began taking continuous readings of air quality, roviding them to the local medical officer of health, fire offiials, municipal agents and citizens of Hagersville.

The ministry is still measuring air quality adjacent to the ire site and current results of test for toluene, benzene, dioxins, olyaromatic hydrocarbons and a variety of other potential conaminants show that no exceedances of air quality guidelines xist at the present time. The air quality being measured at resent is regarded by ministry experts as being typical for a ural location.

Monitoring of the nearby creek for over 100 potential conaminants started and continues. Recent results of this surface vater testing show that none of the contaminants is detectable t the present time. Further, with regard to ground water the Ainistry of the Environment tested 172 domestic wells surrounding the fire site for more than 100 potential contaminants. The 13 wells nearest to the site are tested three times a week; 16 other nearby wells are tested weekly. This monitoring program was developed by the medical officer of health, the Ministry of the Environment and others. Results from this ring of early warning indicators do not show any evidence that ground water contamination has moved offsite.

Further, the Ministry of the Environment built a series of containment ponds on the site. These ponds caught runoff from the firefighting water. An onsite treatment system has been built and is treating the runoff water there. The plant provides oil separation, settling ponds, air-stripping and carbon filtration. The plant can treat 300 gallons of water a minute and has already treated the over one million gallons of captured runoff water that were stored on the site during and after the fire.

This treated water has been tested for a variety of potential contaminants and contains no detectable benzene, toluene, xylene, phenols or dioxins and meets all water quality guidelines.

Further, the Ministry of the Environment has started the cleanup onsite. The top level of soil has been scraped off the fire site and put into storage boxes for proper disposal. This quick soil removal will minimize the chance of contaminants from the soil percolating to the ground water.

A citizens' liaison committee has been set up to hear citizens' concerns and comments on the cleanup. A number of public meetings have been held and will continue to be held. A consulting firm has been selected to sample soil and ground water and to plan the complete cleanup of the site, including any remedial action required for the aquifer—that is, the underlying rock—and any other environmental problems that may be encountered.

Security onsite is being provided by the OPP. In addition, the Ministry of the Environment is fencing the site and providing 24-hour security.

Further, the Ministry of the Environment has offered to clean the soot left downwind of the fire from the nine nearby houses. A contract is now being let to clean the houses, inside and out, of those home owners who have indicated that they wish to have it done. By the way, air tested inside these homes for benzene, toluene, xylene and 100 other potential contaminants was found to meet all ambient air standards.

Thus, for the record, the Ministry of the Environment has acted with respect to air, surface water, ground water, water used in fighting the fire, soil on the site and soot and air in homes close to the site.

The motion speaks also to environmental programs in general. I would like to summarize the series of environmental reforms this government has put in place since 1985. Four of these programs—the municipal-industrial strategy for abatement, or MISA, our government's waterways cleanup program; Countdown Acid Rain; our 3R waste management program, and CFCs phase-out—exemplify new approaches essential if we are to have a sustainable environment.

As members know, MISA's ultimate objective is nothing less than the virtual elimination of persistent toxic contaminant discharges into our waterways by stopping water pollution at its source.

Ontario's Countdown Acid Rain program, which sets a firm abatement timetable for our four major sources of acid rain pollution, places responsibility squarely on its shoulders to end pollution and stop damaging fragile resources such as forests and lakes that form the base of other industries' productivity.

All four of the four major acid rain polluters have reported in detail to my ministry on how they will comply with requirements to reduce their collective sulphur dioxide pollution by two thirds by 1994.

The area of the 3Rs, reduction, reuse and recycling, is another environmental area where we are making progress. The money the government sets aside for municipal 3Rs, as our minister has said, has swelled from less than \$1 million in 1985 to \$13.7 million this year, to \$25 million in the coming fiscal year. Total support for the 3Rs for 1990-91 is approximately \$54 million.

#### 1740

As members also know, Ontario was the first province in Canada to act to protect the stratospheric ozone layer by phasing out the use of ozone-depleting substances such as CFCs and halons.

These are some of the new environmental programs introduced by this government since 1985. I would suggest that these programs indicate this government's continuing commitment to environmental protection.

**Mr McClelland:** It is a pleasure for me to join in the debate on the motion put before the House this afternoon.

My colleague who spoke previous to me is currently serving as parliamentary assistant to the Minister of the Environment, and I too had that privilege a little over a year ago. I want at the outset to set the record straight on a couple of things that have been put on the record today.

I heard the leader of the third party not too long ago stand in his place and say that the government has taken absolutely no action with respect to recycling projects and programs with tires. I want to say that when I was serving in that capacity well over a year ago, there were submissions being made, and plans, and people contacting me in my office to talk to me about the programs that the government was considering, and a shared responsibility of government and industry working together to meet problems head-on in this province and deal with them.

I am proud to say this government took some action well ahead of the events at Hagersville. It is a tragic event that took place in Hagersville, the result of arson, a criminal act. For somebody who served as Minister of the Environment, and I say this with the greatest respect to the leader of the third party, to stand here and say that only after that fire was any action taken is completely inaccurate. I just want to set the record straight and say that much had been done beforehand, much continues to be done, and I am proud to say that this government took initiative and acted appropriately.

When the fire broke out, a joint response team that some of my colleagues on the government side have made mention of was put together. It was co-chaired by the regional chairman of

was put together. It was co-chaired by the regional chairman of Haldimand-Norfolk and the assistant deputy minister for public safety from the Ministry of the Solicitor General. That response team had some ongoing onsite responsibilities during the course of the fire. I want to say that officials from many ministries—Environment, Health, Agriculture and Food, Financial Institutions and Natural Resources—all played a very important role in the joint response team in the management of the fire and related issues.

One of the issues that came up was the issue with respect to financial compensation and taking care of the people who were affected immediately by the fire. The joint response team had other responsibilities, but one of the things it did was set up a legal and financial subcommittee to deal with the legal issues that were resulting from the fire, compensation for individuals

who were directly affected by the fire, and then to furthermore set up a communication and information centre to provide in formation to the evacuees and to the media.

It is important to understand that the responsibility that this government undertook was met directly and quickly. I heard just a few moments ago, again, the leader of the third party stand in his place and say that the Minister of the Environmen was nowhere to be seen. It has been said today and it has beer said by the Solicitor General that he was there on day one. The fire broke out on Monday. On Wednesday the Minister of the Environment was on site. Prior to that, the Ministry of the Environment's officials and the minister were involved directly in consultation with the joint response team.

I think it is also important to indicate to the people of this province and members of this House that the government acted very quickly and in a very responsible way with respect to dealing with that fire and dealing with the environmental concerns related thereto.

In addition to the ongoing onsite involvement of the Minister of the Environment and other ministers and other ministries, I want to say that joint consultation and that joint response team continues to deal with the issue of compensation and dealing with people who were affected by that fire.

The primary concern of the residents of Hagersville was whether or not the provincial government would provide financial assistance for them. The provincial government responded to this quickly. It responded to that concern and developed ar interim compensation package and committed itself to a long-term financial compensation package for the people who were directly affected. That financial package developed by the provincial government ensured that money would be available to reimburse the evacuees for the temporary shelter. It took care of their immediate needs, all of the needs that they had with respect to accommodation and food and so on.

Volunteer firefighters will be paid for their work on the same basis as the rate for personnel from the Ministry of Natural Resources. The government saw a responsibility to compensate those people and to deal with that appropriately. A compensation system has been developed for the economic loss suffered during the fire, for the provision of long-term financial care for those that were involved.

The government through its commitment to compensation both in the short term and the long term as a result of this has met, I think, the very real responsibility it has to assist people who were affected by it. But the health and environmental concerns of the residents of the area will also be addressed on ar ongoing basis, as has been commented on by my friend the member for Peterborough.

I say that simply to say that in an issue such as this, in the motion that has been put before the House today, there are very many facets of a very complex issue. Many of them predate the incidence of the Hagersville fire. Many of them dealt with the onsite response of this government and the assistance that i provided in dealing with putting out the fire. Other aspects of i deal on an ongoing basis, from the financial to the environmental and health.

The involvement of many ministries co-ordinated in an efficient, effective manner to deal with that fire and to do the tremendous job relative to comparable situations in North America I think very clearly demonstrates that this government knew what it was doing and did it in an effective, efficient manner. It is consistent with what my friend the member for Peterborough said, the current parliamentary assistant: a commitment this government has demonstrated with respect to en

21 MARCH 1990

vironmental issues. The Hagersville fire is much broader than environmental issues per se, but the basis of the motion before he House today is environmental.

I listened with interest to my good friend the member for Mississauga South who got off on a tangent with respect to andfill, although it is related in terms of the general environment, and tied that somehow into the Hagersville fire. I would simply say to my friend the member for Mississauga South that f she is going to refer to the aspect of landfill in Peel region—the proposed site that happened to be in the riding that I have the pleasure of representing—I think it incumbent on her to eally lay out all the facts and not just pick little bits and pieces and try to relate them to a fire that has absolutely no bearing on an issue that—

The Deputy Speaker: Merci. The member's time is up.

**Mr McClelland:** Mr Speaker, I simply want to say in conlusion that we will be voting against this motion. Thank you or the opportunity to participate.

Mr B. Rae: I am delighted to be able to participate in this ebate. I first want to congratulate my colleague the member or Etobicoke-Lakeshore for moving this very necessary extension of opinion on the part of the House.

I wanted to touch on the issues that are raised by the lagersville fire, but I will start by reminding members or aying to members that they will perhaps not be aware of this ut I, along with several of our colleagues, was out of the ountry at the time of the fire; however, we were sitting in front f our television sets in Lithuania. As we were sitting in the ving room of the family that I was with, the nine o'clock news ame on and suddenly there was this billowing of smoke apearing on the television screen and the words "Hagersville, Ontario, Canada" appeared loud and clear on the television creens of the Soviet Union.

The Premier has often said that he wanted to be known as a vorld-class leader of a world-class province. I can say that he so the leader of a government which is responsible for a vorld-class environmental disaster on television screens broughout the world.

#### noughout the work

I find it unbelievable that the Ministry of the Environment rould have been on the one hand telling Mr Straza and his redecessors that this site was an illegal waste disposal site. They have been saying that in correspondence to Mr Straza. They have been saying it in correspondence to Mr Musitano and to his lawyer, Mr Macaluso. They have been telling it to the wners of other tire dump sites across the province.

Mr Speaker, I want to remind you of something. The Enironmental Protection Act states very clearly and very ategorically in section 146, "Every person who contravenes his act or the regulations is guilty of an offence."

I want to know, and I have been trying to get an answer rom the minister as has my colleague the member for tobicoke-Lakeshore, what happens when a person who is in harge of a site, who owns a dump site for tires, gets a letter rom the ministry that says: "This site is currently an illegal raste disposal site as it does not have a certificate of approval. Ou must ensure no more tires are received at the site until the te is formally approved by this ministry. Continuing to receive res could result in legal action."

That letter was sent on 25 October 1988 to Dieter Pohl of few World Enterprises in Grimsby. Mr Pohl was at that time apposed to be involved with the Mount Hope site. That is typical of what has gone on between the Ministry of the Environment and the owners of these sites. They call them in and they say, "What are you doing?" This is if they have found out about it or if they have discovered it.

71

The particular site in Mount Hope they discovered because a ministry official was flying over the area and saw all these tires in 1987. We know about the site in Hagersville because the Treasurer knows all about it, and because the Treasurer is an aware person. I am sure he drives around and comes into Queen's Park and says to Mr Bradley: "What in heaven's name is that site? What's going on there? Why can't we do anything about it? Is there any way I can help? Is there something I can do to speed this process along?"

All of a sudden a little light goes on in the Treasurer's head—it might even be a very large light to fill the space therein—which says: "I know what I can do. I'll bring in a tire tax to deal with this problem. I'll tax every time somebody goes in to buy a tire, and then I will go on television and say, 'Look how green I am.'" You might have thought that because of his reputation the Treasurer might have said that he was not exactly the greatest protector of the environment, but the Treasurer can say: "I am going to go on television and say how green I am and how progressive I am. I'm so green I am going to tax every poor soul who buys a tire \$5 a shot."

All this time the officials in the Ministry of the Environment are sending letters to Mr Musitano and other people and these letters say this: "This site is currently an illegal waste disposal site as it does not have a certificate of approval. You must ensure no more tires are received at the site until the site is formally approved by this ministry. Continuing to receive tires could result in legal action."

It is astonishing to me that we have a ministry which is complicit all the way through this process, complicit in the fact that it was prepared to tap these fellows on their wrists every step of the way, but never at any point was it prepared to fine somebody for breaking the law. The law is very clear. You cannot have an illegal waste disposal site in the province of Ontario without it being illegal. An illegal waste disposal site is an illegal site. If you have an illegal site and you are disposing of waste in contravention of the Environmental Protection Act, you are breaking the law, and if you break the law in the province of Ontario, you ought to be charged.

No one has been charged. Mr Straza has never been charged. The Musitanos have never been charged. This government is complicit because it has sat back and done nothing. Until the fire broke out, the only step they took was to strip money out of the pockets of consumers to put it into the pockets of the Treasury of Ontario and to do nothing about the problem, neither enforce the law, nor make it work nor use the powers that are there.

This government is pathetic when it comes to environmental protection. It is pathetic when it comes to protecting the interests of consumers in this province and when it comes to protecting all of us who rely on a clean environment.

When that fire went up and when that fire was the fire that was seen around the world, it was this government's reputation that also went up in smoke. It is this government pretending it is Sir Galahad when really it has done absolutely boo-all to protect the environment in the province of Ontario.

The House divided on Mrs Grier's motion, which was negatived on the following vote:

#### Ayes-24

Allen, Brandt, Bryden, Charlton, Cooke, D. S., Cousens, Cunningham, Eves, Farnan, Grier, Jackson, Johnson, J. M., Mackenzie, Marland, Martel, McCague, Morin-Strom, Philip, E., Pollock, Pope, Rae, B., Reville, Villeneuve, Wildman.

#### Nays-67

Adams, Beer, Black, Bossy, Bradley, Brown, Callahan, Campbell, Carrothers, Chiarelli, Cleary, Collins, Conway, Cordiano, Curling, Daigeler, Dietsch, Epp, Faubert, Fawcett, Fer-

raro, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Haggerty Hart, Henderson;

Kerrio, Keyes, Kozyra, Kwinter, LeBourdais, Lipsett Lupusella, MacDonald, Mahoney, Mancini, McClelland, McGuigan, McLeod, Miclash, Miller, Neumann, Nixon, J. B Nixon, R. F., Oddie Munro, Offer, Phillips, G., Poole, Ramsay Ray, M. C., Reycraft, Riddell, Roberts, Scott, Smith, D. W Smith, E. J., Sola, Sorbara, South, Stoner, Sullivan, Sweeney Velshi, Wrye.

The House adjourned at 1807.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)

Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Beer, Hon Charles, Minister of Community and Social

Services (York North L)

Black, Hon Kenneth H., Minister of Tourism and Recreation

(Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

Bradley, Hon James J., Minister of the Environment

(St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of

the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L)

Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L)

Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of

Colleges and Universities and Minister of Skills

Development (Renfrew North L)

Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L)

Cousens, W. Donald (Markham PC)

Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the

Whole House (Durham East PC)

Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Bakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board

of Cabinet and Minister of Financial Institutions (Bruce L)

∃pp, Herbert A. (Waterloo North L)

Eves, Ernie L. (Parry Sound PC)

<sup>7</sup>arnan, Michael (Cambridge NDP)

<sup>3</sup>aubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L)

Hampton, Howard (Rainy River NDP)

Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of

Ontario and Minister of Economics (Brant-Haldimand L)

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Owen, Bruce (Simcoe Centre L)

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Pelissero, Harry E. (Lincoln L)

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(London Centre L)

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Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

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Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

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Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

## CONTENTS

# Wednesday 21 March 1990

Mr Fraide   Mr Fraide     Mr Kormos   Water quality     Mr Runciman   Fraide     Mr Runciman   Fraide     Mr Runciman   Fraide     Mr Runciman   Fraide     Mr Braide     Mr Allen     Cardiovascular care   41	Members' statements		Tire dumps	50
Michael   Mich	-			
Public safety	·	41		
Mr Runciman Agricultural industry         41 Food banks         52 Pood banks         53 Pood banks         54 Pood banks         55 Pood banks         55 Pood banks         55 Pood banks         55 Pood banks         56 Pood banks         57 Pood banks         56 Pood banks			Water quality	51
Agricultural industry	· ·	41	Mrs Marland	
Mr Allen			Mr Bradley	
Cardiovascular care Mr D. S. Cooke         41 Mr Beer Agricultural industry         53           Elimination of racial discrimination Mr Jackson Mr Jackson Mr Samsay         42 Mr Villeneuve Mr Ramsay         53           Roy Ward Mr Elliot Mine Closure Mr Elliot Mine Closure Mr Harris         42 Mr Wryce Mr Adams         53           Mine closure Mr Harris         42 Mr R. F. Johnston Mr Conway         53           Penal system Mr Harris         43 Nursing services         54           Mr Miller Mr Eves Mr Scaplan         54           Mr Miller Mr Peterson Mr Bae Mr Bae Mr Brandt         54           Mr Bae Mr Bae Mr Bae Mr Brandt         Mr Scaplan         55           Mr Bae Mr Bae Mr Brandt         Mr Scaplan Mr Bae Mr Phillips         55           Mr Bae Mr Brandt         Mr Bert Workers' Compensation Board         55           Mr Bae Mr Brandt         Mr Phillips         55           Mr Graplan         55         Mr Phillips           Mr Conway         55         Mr Conway           Mr Scaplan         60         Mr Conway         55           Mr Caplan         61         Mr Conway         55           Native communications of racial discrimination of racial discri		41	Food banks	52
Mr D. S. Cooke			Mr Allen	
Elimination of racial discrimination   42	Cardiovascular care	41	Mr Beer	
Elimination of racial discrimination   42	Mr D. S. Cooke		Agricultural industry	53
Roy Ward Mr Elliot Mine closure Mine closure Mine source Mine sourc	Elimination of racial discrimination	42		
Transit services	Mr Jackson		Mr Ramsay	
Mise closure         42 Mr Wrye           Mise closure         Mr Wrye           Mise Martel         French-langauge services         53           Penal system         42 Mr R. F. Johnston Mr Conway         Mr Services         54           Mr Harris         Mr Conway         54           Mr Miller         Mr Scaplan         Nursing services         54           Mr Miller         Mr Eves Mr Eves Mr Caplan         Mr Scaplan         54           Mr Paterson         Mr M	Roy Ward	42		53
Mine closure         42 Mr Wrye         Mr Wrye         53           Penal system Mr Harris         42 Mr R. F. Johnston Mr Conway         53           Fire fire Mr Miller         43 Nursing services Mr Scaplan         54           Mr Miller         Mr Eves Mrs Caplan         54           Mr Peterson Mr B. Rae Mr B. Rae Mr Brandt         Workers' Compensation Board Mrs Martel Mr Pabilitys         55           Mr Wong Health Cards Mrs Caplan         46 St Bruno Catholic School Mr Jackson Mr Pabilitys         55           All starts Mr Scaplan         Mr Potting Conomy         55           All starts Mr Scaplan         Mr Chiarelli Mr Sweeney         55           Responses         Mr Chiarelli Mr F. Nixon         55           Ret regulation Mr Sweeney         48 Agreed to         56           Ret regulation Mr Dilip Rent regulation Mr Dilip Rent regulation Mr Philip Rent regulation Mr Sweeney         48 Agreed to         66           Mr Philip Rent regulation Mr Eves         48 Agreed to         66         66           Mr Philip Control of smoking Mr Sistent Rent Relations Mr Eves         48 Agreed to         66         66           Mr Eves         Mr Sistent Mr Siste	Mr Elliot			
Mis Martel   French-langauge services   53     Mr R. F. Johnston   Mr Scaplan	Mine closure	42		
Penal system         42         Mr R. F. Johnston           Mr Harris         Mr Conway           Fire fire         43         Nursing services         54           Mr Miller         Mr Eves         Mr Eves           Statements by the ministry         Mr Eves         Mr Scaplan           Statements by the ministry         Native communications         54           Mr Peterson         Mr Miclash         Mr Miclash           Mr Peterson         Mr Bart         Mr Sandrel         55           Mr Brandt         Mr Brandt         Mr Bart         55           Bilmination of racial discrimination         46         St Bruno Catholic School         55           Mr Wong         Mr Jackson         Mr Conway         55           Mr Wong         Mr Conway         55           Mr Conway         00         55           Mr Conway         00         55           Mr Conway         00         55           Mr Conway         00         55           Mr Pollip         Mr Conway         00           Mr R. F. Nixon         00         55           Mr Poliarelli         Mr R. F. Nixon         56           Mr Discretal discrimination         48				53
Mir Harris		42		33
Fire fire Mr Miller         43         Nursing services Mr Eves Mr Eves Mr Eves Mr Eves Mr Caplan         54           Statements by the ministry         Native communications Mr Miclash Ms Hart         54           Constitutional accord Mr Peterson Mr B Rae Mr Brandt         45         Workers' Compensation Board Miss Martel Miss Martel Mr Phillips         55           Mr B Rae Mr Brandt         Mr Miss Martel Mr Phillips         55           2limination of racial discrimination Mr Wong         46         Mr Conway Mr Conway         55           Health cards Mr Conway         Mr Alexson         55           Aut regulation Mr Sweeney         47         Mr Chiarelli Mr R. F. Nixon         56           Rein regulation Mr D. S. Cooke         48         Private members' public business Mr Offer         56           Slimination of racial discrimination Mr Philip Rent regulation Mr Philip Rent regulation Mr Philip Control of smoking Mr S E. J. Smith         56           Vaste disposal Mr Eves         48         Greater Toronto area Mr Philip Control of smoking Mrs E. J. Smith         56           Waste disposal Mrs Grier Mr Bradley         48         First readings         56           Water quality Mrs Grier         49         Act, 1990, Bill 114 Mr Black         56		72		
Mr Miller		43		5.4
Native communications		73		34
Statements by the ministry  Martive communications Mr Miclash Mr Miclash Mr Peterson Mr Peterson Mr B. Rae Mr Brandt  Stimination of racial discrimination Mr Wong Health cards Mrs Caplan  Responses	IVII IVIIIICI			
Mr Miclash   Mr Miclash   Mr Miclash   Mr Peterson   Mr B. Rae   Miss Martel   Mr Phillips	Statements by the ministry			E A
Constitutional accord Mr Peterson Mr B. Rae Mr Brandt Elimination of racial discrimination Mr Saplan Mr Saplan Mr Saplan Mr Saplan Mr Saplan Mr Saplan Mr Sesponses  Responses	Statements by the ministry			54
Mr Peterson Mr B. Rae Mr Brandt Slimination of racial discrimination Mr Wong Health cards Mr Scaplan Rent regulation Mr Sweeney  Responses  Res	Compatitudi and a sound	45		
Mr B. Rae Mr Brandt         Miss Martel Mr Phillips         Miss Martel Mr Phillips         Mr Phillips         55           2limination of racial discrimination Mr Wong         46         St Bruno Catholic School Mr Jackson         55           Mr Caplan         Mr Conway         Mr Conway         55           Mr Scaplan         Mr Chiarelli Mr R. F. Nixon         55           Rent regulation Mr Sweeney         47         Mr Chiarelli Mr R. F. Nixon           Rent regulation Mr D. S. Cooke         48         Private members' public business Mr Offer         56           2 Iminination of racial discrimination Mr Philip         48         Agreed to         56           3 Mr Harris Health cards Mr Eves         48         Petitions Mr Philip Control of smoking Mr Philip Control of smoking Mr E. J. Smith         56           4 Waste disposal Mrs Grier Mr Bradley         48         First readings           4 Water quality Mrs Grier         49         Act, 1990, Bill 114         56           4 Mr Black         49         Act, 1990, Bill 114         56		45		
Mr Brandt  Slimination of racial discrimination Mr Wong Health cards Mr Caplan Mr Scaplan  Responses  Response			-	55
Elimination of racial discrimination Mr Wong Health cards Mrs Caplan Ar Sweeney  Résponses  Résponses  Rent regulation Mr D. S. Cooke Elimination of racial discrimination Mr Philip Rent regulation Mr Harris Health cards Mr Eves  Oral questions  Agreed to  Oral questions  Agreed to  Oral questions  Agreed to  First readings  Mrs Grier Mr Bradley  Vater quality Mrs Grier  Mr Black  St Bruno Catholic School Mr Jackson Mr Conway Ontario economy  Afr Chiarelli Mr R. F. Nixon  Fortive members' public business Mr Offer Agreed to  So  Mr Offer Agreed to  So  Mr Philip Control of smoking Mrs E. J. Smith  First readings  First readings  Act, 1990, Bill 114 Mr Black  Mr Black				
Health cards 46 Mr Conway Mrs Caplan Ontario economy 55  Rent regulation 47 Mr Chiarelli Mr Sweeney Motion  Responses Motion  Responses Motion  Responses Mr Offer Elimination of racial discrimination 48 Agreed to 56 Mr Philip Rent regulation 48 Petitions Mr Harris Health cards Mr Eves Mr Offer Smoking 56  Oral questions 48 Greater Toronto area Mr Philip Control of smoking Mrs E. J. Smith  Waste disposal Mrs Grier Mr Bradley Ontario Lottery Corporation Amendment Mrs Grier Mr Bradley Mrs Grier Mr Black Mr Black				
Health cards   46		46		55
Mrs Caplan Rent regulation Mr Sweeney  Résponses  Mr Chiarelli Mr R. F. Nixon  Mr D. S. Cooke  Mr Offer  Simination of racial discrimination Mr Philip Rent regulation Mr Harris Health cards Mr Eves  Responses  Agreed to  Se Mr Offer  Agreed to  Se Rester Toronto area Mr Philip Control of smoking Mrs E. J. Smith  Naste disposal Mrs Grier Mr Bradley  Naste disposal Mrs Grier Mr Bradley  Nater quality Mrs Grier Mr Bradley  Nater quality Mrs Grier Mr Black  Naste disposal Mrs Grier Mr Bradley  Nater quality Mrs Grier Mr Black				
Responses Mr Chiarelli Mr R. F. Nixon  Responses Motion  Responses Motion  Responses Mr Offer  Mr D. S. Cooke  Climination of racial discrimination Mr Philip Rent regulation Mr Harris  Health cards Mr Eves Mr Philip Control of smoking Mr S. J. Smith  Naste disposal Mrs Grier Mr Bradley  Naste quality Mrs Grier  Mr Grier  Mr Grier  Mr Black  Mr Chiarelli Mr R. F. Nixon  Motion  Mr Private members' public business Mr Offer Agreed to 56  Mr Offer Agreed to 56  Mr Offer  Agreed to 56  Mr Petitions  Ferst readings  First readings  Ontario Lottery Corporation Amendment  Mr Black  Mr Black		46	Mr Conway	
Résponses Mr R. F. Nixon  Résponses Motion  Rent regulation Mr D. S. Cooke Climination of racial discrimination Mr Philip Rent regulation Mr Harris Health cards Mr Eves Oral questions  Waste disposal Mrs Grier Mr Bradley Water quality Mrs Grier Mrs Hack	Mrs Caplan		Ontario economy	55
Responses  Responses  And D. S. Cooke  Climination of racial discrimination Mr Philip Rent regulation Mr Harris Health cards Mr Eves  Oral questions  Waste disposal Mr Bradley  Water quality Mrs Grier Mr Bradley  Responses  Mr Offer Mr Private members' public business Mr Offer Agreed to  Frivate members' public business Mr Offer  Agreed to  Foreign for a comparison of the private members' public business Mr Offer Mr Offer  Mr Offer Agreed to  Foreign for a comparison of the private members' public business Mr Offer Mr Offer  Mr Offer  Mr Offer  Mr Offer  Agreed to  Fetitions  Foreign for a comparison of the private members' public business Mr Offer  Mr Philip Control of smoking Mrs E. J. Smith  First readings  Ontario Lottery Corporation Amendment Mr Black  Mr Black	Rent regulation	47	Mr Chiarelli	
Rent regulation Mr D. S. Cooke Elimination of racial discrimination Mr Philip Rent regulation Mr Harris Health cards Mr Eves Oral questions  Waste disposal Mr Bradley Water quality Mrs Grier Mr Grier Mr Black  48 Private members' public business Mr Offer Agreed to  56 Mr Offer Agreed to  56 Agreed to  67 Agreed to  56 Agreed to  67 Agre	Mr Sweeney		Mr R. F. Nixon	
Mr D. S. Cooke  Elimination of racial discrimination Mr Philip Rent regulation Mr Harris  Health cards Mr Eves  Oral questions  Waste disposal Mrs Grier Mr Bradley  Water quality Mrs Grier Mrs Grier Mrs Grier Mr SGrier Mr SGrier Mr SGrier Mr SGrier Mr SGrier Mr Black  Mr Offer Agreed to  Agreed to  Fetitions  Fetitions  Fetitions  Fetitions  Agreed to  Fetitions  For Agreed to  For Agreed to  Fetitions  For Agreed to  Fetitions  For Agreed to  For Agre	Résponses		Motion	
Mr D. S. Cooke  Climination of racial discrimination Mr Philip Rent regulation Mr Harris  Health cards Mr Eves  Oral questions  Waste disposal Mrs Grier Mr Bradley  Water quality Mrs Grier Mrs Grier Mr SGrier Mr Black  Mr Offer Agreed to  Agreed to  Fetitions  6  Agreed to  Fetitions  Fetitions  Fetitions  Agreed to  56  Agreed to  56  Agreed to  Fetitions  Forum  Forum  Forum  Forum  First readings  Ontario Lottery Corporation Amendment  Mr Black  First readings  First readings	Rent regulation	48	Private members' public business	56
Mr Philip Rent regulation Mr Harris Health cards Mr Eves  Oral questions  Waste disposal Mr Bradley  Water quality Mrs Grier Mr S Grier Mr Bradley  Mrs Grier Mr Black  Mr Black	Mr D. S. Cooke		Mr Offer	
Rent regulation Mr Harris  lealth cards Mr Eves  Oral questions  48  Greater Toronto area Mr Philip Control of smoking Mrs E. J. Smith  Vaste disposal Mrs Grier Mr Bradley  Vater quality Mrs Grier Mr S Grier Mr S Grier Mr Bradley  Mrs Grier Mr Bradley  Mrs Grier Mr Bradley  Mrs Grier Mr Bradley  Mrs Grier Mr Black  48  First readings  Ontario Lottery Corporation Amendment  Act, 1990, Bill 114  Mr Black		48	Agreed to	56
Mr Harris  Iealth cards Mr Eves  Oral questions  48 Greater Toronto area Mr Philip Control of smoking Mrs E. J. Smith  First readings  Mrs Grier Mr Bradley  Vater quality Mrs Grier Mrs Grier Mr Bradley  Mrs Grier Mr Bradley  Mrs Grier Mr Bradley  Mrs Grier Mr Black  Mr Black		48	Petitions	
Sealth cards   Mr Eves   Mr Philip   Control of smoking   Sometimes   Someti		, ,	A COLETONIO	
Mr Eves  Oral questions  Mr Philip Control of smoking Mrs E. J. Smith  First readings  Mrs Grier Mr Bradley  Water quality Mrs Grier Mrs Grier Mrs Grier Mr Bradley  Mrs Grier Mr Bradley  Mrs Grier Mr Black  Mr Black		48	Greater Toronto area	56
Oral questions  Waste disposal Mrs Grier Mr Bradley  Water quality Mrs Grier Mrs Grier Mrs Grier Mr Bradley  Mrs Grier Mr Bradley  Mrs Grier Mr Black  Mr Black  Mr Black	acaitii cai ao	10		20
Oral questions  Mrs E. J. Smith  Waste disposal Mrs Grier Mr Bradley  Ontario Lottery Corporation Amendment  Water quality Mrs Grier Mr Black  Mr Black	WII LVCS			E/
Mrs Grier Mr Bradley  Vater quality Mrs Grier  Mr Brier  Mr Bradley  Ontario Lottery Corporation Amendment  Act, 1990, Bill 114  Mr Black  Mr Black	Oral questions		Mrs E. J. Smith	30
Mrs Grier Mr Bradley  Vater quality Mrs Grier  Mr Brier  Mr Bradley  Ontario Lottery Corporation Amendment  Act, 1990, Bill 114  Mr Black  Mr Black	Nasta disposal	48	First madings	
Mr Bradley  Vater quality Mrs Grier  Ontario Lottery Corporation Amendment  Act, 1990, Bill 114  Mr Black  Mr Black	·	70	rustreadings	
Water quality 49 Act, 1990, Bill 114 56 Mrs Grier Mr Black			Ontario I ottony Composition A	
Mrs Grier Mr Black		40		
		49		56
Mr Bradley Agreed to 56				
	Mr Bradley		Agreed to	56

National Capital Children's Oncology Care		Mr Bradley	66
Inc Act, 1990, Bill Pr8	56	Mr Farnan	67
Mr Sterling		Mr Brandt	68
Agreed to	56	Mr Adams	69
Representation Amendment Act, 1990, Bill 115	56	Mr McClelland	70
Mr MacDonald		Mr B. Rae	71
Agreed to	56	Negatived	71
City of Chatham Foundation Act, 1990, Bill Pr61	57		
Mr Bossy		Other business	
Agreed to	57		
Royal Canadian Legion Act, 1990, Bill Pr44 Mrs Sullivan	57	Independence of Namibia Mr Wong	43
Agreed to	57	Mr R. F. Johnston	
Gursikh Sabha Canada Act, 1990, Bill Pr58	57	Mrs Marland	
Mr Curling		Member's privileges	43
Agreed to	57	The Speaker	
		Laszlo Tokës	44
Motion of nonconfidence		Ms Hošek	
		Mr B. Rae	
Tire fire, motion 1	57	Mr Brandt	
Mr Kormos	57	Withdrawal of Bill 83	51
Mrs Marland	58	Mr R. F. Johnston	
Mr Offer	61	Agreed to	5'
Mrs Grier	62	Adjournment	72
Mr Miller	64	Alphabetical list of members	7:
Mr Mackenzie	65		

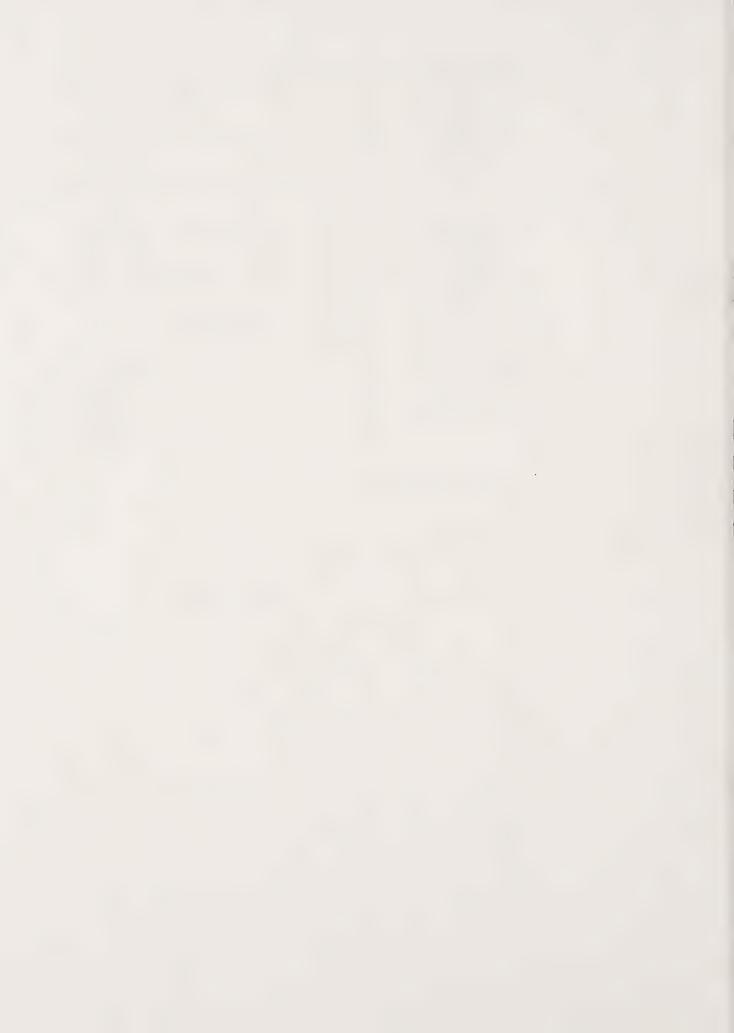
# TABLE DES MATIÈRES

# Le mercredi 21 mars 1990

#### Déclaration ministérielle

Accord constitutionnel	٠		٠	٠				۰		۰	.45
M. Peterson											
M R Rae											







90





4 90

# egislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

**Thursday 22 March 1990** 

# Journal des débats (Hansard)

de l'Ontario

Le jeudi 22 mars 1990

Assemblée législative

Deuxième session, 34e législature



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

Speaker Honourable Hugh A. Edighoffer

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#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

#### Table des matières

La table des matières des séances rapportées dans c numéro se trouve à l'arrière de ce fascicule, ainsi qu'un liste alphabétique de députés de l'Assemblée législative d l'Ontario. La liste des députés appartenant au Conseil de ministres et des adjoints parlementaires ainsi que celle de députés appartenant à des comités y figure aussi.

Il existe un index cumulatif des numéros précédents. Le renseignements qu'il contient sont à votre disposition pa téléphone auprès des employés de l'index du Journal de

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### LEGISLATIVE ASSEMBLY OF ONTARIO

#### Thursday 22 March 1990

The House met at 1000.

Prayers.

#### ORDERS OF THE DAY

PRIVATE MEMBERS' PUBLIC BUSINESS EDUCATION AMENDMENT ACT, 1990

LOI DE 1990 MODIFIANT LA LOI SUR L'ÉDUCATION

Mr R. F. Johnston moved second reading of Bill 112, An ct to amend the Education Act.

The Deputy Speaker: The member has up to 10 minutes to ake his presentation.

Mr R. F. Johnston: It is with great pleasure that I rise day to introduce this bill. Members have seen another bill in rders and Notices, and I will explain some of those changes, if night, in a few minutes.

This all began for me, I guess, in April 1988 when Gary alkowski from the Ontario Association of the Deaf came to y office to talk about strategies for trying to get change within e Ministry of Education around deaf education. I was so unned by the litany of problems that he brought forward at at time that I introduced a resolution on 5 May 1988 which as passed by this House unanimously, or by voice vote, and hich called for a review of education. The Minister of Educator then kindly took up that challenge and brought forward a view.

It had been my intention to bring forward this piece of gislation last December because I was becoming worried that e report of that review was taking too long coming in and I anted to use this bill to promote that kind of process. It was to be debated on 21 December. On 20 December the vernment brought forward the review—one of those great odern miracles—and on 21 December the House leaders basilly said that we would not have private members' day that we answay.

My difficulty since then has been to try to bring forward a ece of legislation that would in fact reflect the review, but it is rry difficult to do that when you are not supposed to change ings dramatically between sessions. So instead, I decided to ay with much the same point and thrust that I had brought rward in December, although there are many things in that iternal review report that I applaud and would hope the overnment will move on.

Looking back on my resolution, I see it addressing very ecifically affirmative action for teachers and, as well, the adinistration of schools for the deaf and that kind of thing, and I ope the government will move on that wide range of issues.

But the one I have chosen to focus on is the issue of merican sign language and its use in the school system as a nguage of instruction and as a heritage language. The reason I we chosen that as a place to focus is not because it is the only ing to deal with but because in some ways it points up what as the most long-standing division within the deaf and hearg-impaired community over the centuries, going back to the ghts between the founder of Gallaudet University and lexander Graham Bell in terms of the most appropriate way to

teach people basic literacy and the ability of people who are deaf to communicate.

I have chosen this because the coalition of forces that supported the resolution and then worked so actively with the government on the review put aside all their differences and raised the whole notion that choice should be available for the various methodologies that are there and that nobody should be excluded.

At the moment, of course, in our legislation the group that is excluded is the group that wishes any instruction in American sign language, because under the Education Act one can only instruct in English or in French. Those are the languages of instruction here in Ontario. What I wanted to bring forward was what would be permissive legislation to allow people to be able to provide American sign language as a language of instruction.

It was pointed out to me only last week that we had in fact made an error in our language. The language of the bill made it look like we were eliminating choice and making it required that everybody would have to take American sign language. That was not the intent of the piece of legislation known as Bill 83; so we changed it from being the language of instruction to being a language of instruction. We thought we had dealt with the problem until a good friend, Ruth Baumann of the Ontario Teachers' Federation, pointed out to me that it still looked like we were requiring the use of ASL, which could also be interpreted as meaning that we were going to again force everybody to use this methodology rather than signed English, total communication, auditory approach or whatever might be the choice often that people would like to use.

That is not the intent of this legislation. The legislation's intent is one of choice. Therefore, as the government has done on a couple of occasions when it has put in legislation and noticed at the last minute that there has been a problem, I would propose an amendment that would be accepted, I hope, by all people if we went to committee on this, which would basically require the American sign language to be made available for use, rather than require it to be used. This would then allow the regulatory process which this bill opens up to provide for ways that this could be done which would not exclude other kinds of options in the school system.

#### 1010

I think it is very important to do this, even though I am one of those people who is absolutely convinced about the importance of American sign language to the culture of the deaf in our society and to their empowerment, as we have seen in that wonderful explosion at Gallaudet a couple of years ago and now the development of our own community here in Ontario speaking out so much more strongly as a group.

People have written in on this matter talking about parallels between this notion of education and pedagogy; that is, to have people develop their own basic language for the deaf and then move on to English or French or whatever other kind of studies they may wish to do, as a better way of learning languages and in fact a better way of learning in general. The outcomes for students will probably be greater if we move to that kind of approach.

The parallels are made with a lot of bilingual theory for people who learn English and French. They start off with their maternal language, take that maternal language into the school system and then move on to the other language of instruction as a second language, essentially. They do much better in both as a result of that.

This notion, this concept, has been recognized in a number of jurisdictions, and the one I wanted basically to point to is the United Nations. Something I was really not very aware of until recently is that UNESCO for quite some time now has accepted the notion that sign language should be seen as the basic language of deaf people worldwide; that it is a different kind of language altogether than most of our linear, prosaic, verbal, oral languages that we use; that its spatial concepts make it quite different from other languages and it should be seen as the base. From that, you then develop the other capacity in whatever the language may be, French or English in Canada, Italian in Italy or whatever situation worldwide would be appropriate.

I think that kind of notion is one that we should be adopting as well, but I do not want to foist that on the province and say that is the only way to go. I want to open the door for it to be possible, because we must recognize that it is not possible in Ontario now to have American sign language reinforce that basic cultural fact.

There are some wonderful studies out there that show the difference between deaf children who come into the school system here and in the United States whose parents are deaf, compared with children who come in whose parents are hearing. Where the language at home is American sign language, the child coming in from that home usually comes in with the same kind of capacity to read and to communicate and with the same language skills as does the hearing child coming from a hearing home, whereas the child who is deaf coming from a hearing home often comes in with major deficits in his capacity to communicate. I think it is a very important point. The difficulty is, of course, that 10 per cent of deaf kids are from homes where they have deaf parents; 90 per cent have hearing parents. So this must be recognized as well when we move in this direction.

There have been good studies out of Gallaudet. I recommend to members the paper Unlocking the Curriculum: Principles for Achieving Access in Deaf Education, which has been released by them, talking again about this notion of bilingualism being the concept that should be followed in terms of educating children with major hearing impairments.

I have had letters from parents who have been frustrated by the system. I do not know if other members have received those over the last number of months. Some of them are incredibly troubling in terms of the inflexibility of both our provincial schools and our regular school system to be able to accommodate people who want to be able to expand their ASL, but there just is not a capacity to do that at this moment.

There is one letter here that draws a parallel which I think is really appropriate, both in terms of language construction and in terms of the concept of this being a heritage language, which is the second part of this bill. The quote is from this family, the Baileys:

"We have spent some time living in the Northwest Territories. I have heard many stories of how the Inuit children were forbidden to speak their native language in school and were punished if caught. Finally the educators realized that they were trying to deny the Eskimos an important part of their heritage. Now Inuktutuk is an important part of the curriculum, but that does not mean they don't learn English."

They then go on to make the argument of the parallel between this and learning ASL, or la langue des signes québécois for French kids in Ontario. I think it is vital that we recogniz that.

The final thing I would say—and there is not much time it 10 minutes to deal with these matters—is that as a heritag language, it would offer a wonderful opportunity for hearing kids and deaf kids to learn American sign language together it the school system, develop the communication and open the world for hearing children to other kinds of possibilities of expression that we do not have in our straight verbal and ora expression today.

I encourage members in the House to support this permis sive piece of legislation and forgive, if they will, the flaw is drafting which I recognize has been there. I encourage us to move forward to finally put to rest this long debate about the denial of American sign language, this repression, as I see it, to the deaf community and to give this bill the support that believe it deserves.

Mr Jackson: I am very honoured to follow my colleague the member for Scarborough West to speak in support of this bill, as I was honoured on 5 May 1988 to rise in this House and support his resolution, which was rather an extensive resolution but which dealt specifically with moving this province to develop the Review of the Educational Programs for Deaf and Hard-of-Hearing Students in Ontario.

This is a most outstanding piece of work, for which the government is to be commended, but we also cannot lose sigh of the fact that it was the member for Scarborough West when has been the driving force in support of the future of hearing impaired children in our province. I cannot take enough oc casions to commend him.

Every member of this Legislature is here today to presenthe best educational possibilities and options for deaf childrenton Ontario. That is the only reason we are here today to support this bill, and it is the only reason that we should be here in orde to debate this bill. We should do that in a most nonpartisan way. We should do it because the issues affecting these children who we are hoping to help are in fact achieved in their best interests their best interests for their educational opportunities in the future, for their ability to communicate more effectively, to broaden their horizon of academic learning and to unlock for them, if you will, opportunities for their own self-empowerment, not only within their own community of severely challenged hard-of-hearing friends but also within the general community.

I, for one, recognize very much the importance of the comments that many parents have made with respect to some of the concerns they have with introducing yet another option fo parents to have to overcome. Some have indicated to me the difficulties which American sign language may present to then now that they have learned simple sign language.

I can tell the House from my own personal view, at onpoint, believe it or not, Mr Speaker, I had a minimal commant of sign language. My mother is gifted with having the capacity to work in nine languages, one of which is sign, because he brother, my uncle, since the age of six was completely deaf, recall those days of my early childhood, the difficulty communicating with my uncle, and it left a lasting impression of the limitations of his life experience because he was not allower the fullness and the richness of these options for communication.

As we read more of the literature, which I again credit the member for Scarborough West for introducing to all member of this House, it causes us to read and rethink some of our assumptions about how deaf people communicate, the very difference of the second se

ficult understanding that we must have to understand exactly what American sign language is all about, and yet with the information he has presented us, it is a most compelling argument to support this bill.

If I understand correctly what American sign language is, and I think I do, it is a language separate and distinct and it has ts own right. It is not a visual representation of our English anguage. It is something unique and different. Its structure is different from that of English, and its symbols represent concepts rather than specific English words.

If we who have our own handicaps because we can only hink in terms of our French or our English language, or maybe third heritage language, can overcome our limitations in unlerstanding what exactly American sign language is, we will have penetrated a better understanding of just the importance of his form of communication and this key to unlocking higher earning for the deaf community in this province.

#### 020

I for one am supporting it for that reason. As the Education critic for the Progressive Conservative Party, I clearly see the potential for growth and development for our children. I also ecognize that the report does represent some additional chalenges and in fact some long-term costs on behalf of the government. But when I look at these recommendations that same from the report, I cannot help but be convinced that this is in agenda whose time has come. It is obvious that affirmative action to empower the deaf community to have teachers who are themselves deaf is something we should support. We have upported that through the 1970s and the 1980s in this province when we have dealt with various issues surrounding assistance for the disabled.

The government should be supporting, for example, curiculum development. All the items that have been enumerated n the report are worthy of our support and I think the government should be supporting this basic first step, which is to ecognize the American sign language as set out in Bill 112 and also to recognize that this is enabling legislation. It is a piece of egislation that provides choices, that provides opportunities, and specifically, as I have indicated in my support for the bill, it allows the capacity for children to unlock the potential development of their cognitive skills, something we are now beginning of appreciate may be limited in part by some of the current nethodologies used for communication in the deaf community.

I want to commend the member for his diligence with this bill. On behalf of my colleague the member for Scarborough West, I want to welcome in the House today members of the leaf community who I know are here and anxious about the butcome of the vote today. I also am inspired by the fact that hey have their own interpreters and are here to see our government in action in a very personal, meaningful way. I would also indicate to them, through their interpreter, that the number of members in the House today is no reflection of the interest being shown for this bill. In fact, more members of the House will be here at the time of the vote to show our very strong support of this bill.

When I spoke in support of my friend the member for Scarporough West in 1988, I was very hopeful the government would follow his model for a co-operative model for reviewing, with an internal and an external examination, all matters relative to educating the deaf in this province.

I also want to commend the government of Ontario for following that model. I believe the consistency of the recomnendations, both from the internal report and the external

report, in support of the resolution of the member for Scarborough West, speaks well not only of the government's willingness to allow the report to be independent but also of the importance of our passing this resolution today.

I was somewhat disappointed that the Minister of Education did not respond in a more positive way in December of last year when the report was made public. However, in spite of that and, as I said earlier, in a nonpartisan way, it is our hope that he and his government, like all members of this House, will appreciate the importance of passing this resolution so we can get on with the important work of strengthening the curriculum, hiring the additional teachers, bringing in place an affirmative action plan and strengthening our commitment to the deaf community in this province.

In closing, I want to quote from the statements I made back on 5 May 1988 when I spoke to this issue originally. I was taken by the words of Harlan Lane in his work When the Mind Hears. He said something that struck me as very important: "What matters deafness of the ear, when the mind hears? The one true deafness, the incurable deafness, is that of the mind."

I ask all members of this House to support this bill in support of those children in the province who are awaiting our decision.

#### [Interruption]

The Deputy Speaker: Before we proceed with the next speaker, may I remind our honourable visitors in the public gallery that applauding is not permitted.

Mr Keyes: I am pleased to speak also on the private member's bill that has been proposed by the honourable member for Scarborough West.

This government recognizes the complexity and the sensitivity of the issue of American sign language as a language of instruction for the deaf. As a caring society, we must seriously take into consideration the demands, the expectations, the philosophies and the emotions of everyone involved in the issue of deaf education.

Language can be defined in various ways, and one of our responsibilities as legislators is to determine which language or languages can best serve the needs of deaf people in Ontario, which language can remove those obstacles which tend to impede the progress and limit the capabilities of those with hearing impairments.

I am pleased to speak in favour of the principle enunciated in Bill 112 as put forward by the honourable member for Scarborough West. This government is supportive of it on the basis of his introductory explanatory remarks, which makes ASL available as an optional language of instruction.

In keeping with the recommendations of the external and the internal review committee, we agree that ASL be made available as a language of instruction in the future in Ontario schools, but keeping mindful some of the limitations and the guidelines that were put forward by that review to which the members have referred: that it be publicized and promoted as one of a number of options; that the ministry immediately begin to work in practical arrangements and procedures for curriculum development; that the schedule for gradual implementation at selected locations and selected grade levels be introduced; particularly that there be extensive training for parents in ASL; that there be pilot project and research studies to provide a theoretical and a practical basis for the use of ASL as a language of instruction.

It is most important to foster and maintain the variety of communication systems currently employed throughout Ontario. The government is very much aware of the support of the Ontario Association of the Deaf and the Canadian Hearing Society, which support ASL as an option rather than as the mandated language of instruction. We must also be aware of the concerns that have been raised by others in this particular field. I reiterate the comments made as the team travelled this province and heard about the strong emotions of people in the community, parents as well as teachers, who are involved in the education of deaf and hard-of-hearing children.

Some parents fear that their children will become isolated from them as they become fluent in ASL and that the use of ASL instead of English as a primary language would hinder the child's acceptance in the larger society. Together, hearing parents and teachers face difficulty in becoming fluent in what, to them, is a difficult and sometimes intimidating language.

It should also be remembered that no other jurisdiction in the world—no other school, no post-secondary institution—has ever mandated ASL as the language of instruction, but as referred to by the member for Scarborough West, it is permitted as an option in some jurisdictions. It is very important to reiterate the intentions of the government to initiate a pilot project in ASL at the E. C. Drury school in September 1990, and hopefully and most likely, two other provincial schools for the deaf by September 1991.

The Ministry of Education will continue to foster and encourage program opportunities and placements that take into consideration the diverse demands of various stakeholders, the local concerns, the expectations and the conflicting communication philosophies. Education of the deaf is a complex matter, but yet we all agree that these children, deaf and hard-of-hearing children, should not be denied their natural birthright, which is language. I urge members to support the honourable member's bill.

#### 1030

Miss Martel: I want to join in support today of the bill that is being moved by my colleague, Bill 112, and I want to support as well some of the changes, amendments etc which we recognize now are necessary in order to say exactly what we want to say around having a choice in this province for students who are deaf and hearing-impaired. I hope all members recognize what we are trying to do: the fact that we expect there will be changes and that those changes are necessary, and that government members will vote with us based on the fact that those changes will come

I went to my colleague the member for Scarborough West and asked if I might be able to say a few words on this matter, given that I had been lobbied on it and also that I had spoken in favour of the resolution at the time some months ago. We decided to divide up our remarks between the two of us, he talking about ASL and myself dealing with LSQ, mainly because my French is a little bit better than his. But after that we agree on almost all of the principles, and I will be supporting in very general terms what he has said about the need to have a sign language in conjunction with both signing exact English, signing exact French etc, or oral skills if they are available.

I would have liked to have had more information on LSQ. Unfortunately, two things happened that I want to mention. First, like anything else we do around here, I left it a little bit too late. By the time I contacted legislative research to get some information from Quebec on LSQ, I did not leave them enough time to get some of the information. So while we had a great discussion with people working in centres there concerning the language and how it is used by people in Quebec, we were not

able to get some of that surveying documentation here. I will have to give it to my colleague when it arrives. I do want to thank legislative research for the work it did in very short order.

The second point—and this is far more important; I an sorry the Minister of Education is not here today—is that many members will know that the English recommendations and the English report on the external review committee were released and tabled in this Legislature in December 1989. A companion document was being put together by the francophone community around services and around particular problems that deaf, hearing-impaired francophones were having in Ontario to access those services.

That report, I am told, was given to the minister on Monday It has been printed and was presented to him, but he has no presented it to this House. I have been told that he was waiting to make an announcement about it and then would table tha document here in the Legislature. I think that puts some of us a a very distinct disadvantage when we are trying to deal with a bill of my colleague that talks about both ASL and LSQ.

I am a little bit resentful if the minister has this documen on his desk, knowing full well we are debating this bill in here today. He should at least have presented it to us so that those of us who are concerned about this matter, as I assume all of us are, would at least have had the opportunity to review the document and make some comments about it here today. I am sorry the minister is not here, and I did want to say that part of the problem I am having is that he has not had the opportunity of the willingness to release that document to all of us.

In any event, there are two things I want to deal with around LSQ: first, some very basic information about what LSQ is and second, two of the recommendations that come from that report While the minister has not tabled the report, I know one of the people who sat on that review committee, and last night a midnight we got that information together over the phone. I was an interesting process because the gentleman involved it deaf. I was using the relay service at midnight, talking to the operator in French. He was pounding out the recommendations on his telecommunications device for the deaf and gave it to mover the phone. I have missed a few words, but I will do the best I can. I appreciate the Bell operator who was so good to help us late last evening.

Il y a quelque chose à dire à propos de la LSQ: la LSQ c'est la langue des signes québécois. La LSQ a été développée au Québec. Il existe des indications que la majorité de la communauté sourde au Québec utilise la langue des signes québécois.

Aussi, il apparaît que la LSQ a une certaine popularité ic dans la communauté francophone sourde en Ontario, comme a la ASL dans la communauté anglophone en Ontario.

La structure et la grammaire de la LSQ sont similaires à celles de la ASL, mais il y a quelques signes qui sont différents Il est estimé qu'à peu près 30 ou 35 pour cent de similarité existe entre les deux langues; toutes les deux sont abstraites e leur concept a été développé par des idées.

La langue des signes a été développée en France : toutes les deux, la ASL et la LSQ sont dérivées de celle-là. L'Institu Raymond-Dewar, qui est l'institut avec lequel nous avons parle pour ce rapport cet après-midi, utilise la LSQ dans la plupart de son travail.

Maintenant, le rapport fait par le Comité spécial de l'éducation pour les sourds en Ontario — la communauté fran cophone, la communauté qui parle la langue française — fai deux recommandations à propos des services pour les fran cophones sourds en Ontario. Je voudrais lire les deux recommandations de la communauté qui parle la langue française — fai deux recommandations à propos des services pour les francophones sourds en Ontario. Je voudrais lire les deux recommandations de la communauté par la communauté française — fai de la communauté fai de

mandations, même si le ministre de l'Education n'a pas présenté ce rapport-ci à la Législature.

Premièrement, il est recommandé que le ministre de l'Education établisse, dans le cadre de règlements, une politique
globale quant au mode de communication utilisé pour
l'éducation des élèves sourds, en reconnaissant la LSQ ou la
langue des signes canadiens-français comme langue
d'enseignement en Ontario; deuxièmement, que tous les conseils scolaires qui offrent des programmes destinés aux élèves
sourds aient une politique écrite au niveau des modes de communication qui respecte la politique globale du ministre de l'Education et, encore une fois, la reconnaissance de la LSQ
comme langue d'enseignement.

In short, both of those groups, the English group and the French group, suggested that we recognize ASL and LSQ as another language of instruction in Ontario and in our school system. I think that is the principle we have to recognize and accept here today. It is not enough for the government to say, "We will institute pilot projects in Ontario around sign language." That principle has to be accepted. It has to be put into legislation so that in future, when the pilot projects work and when the studies have been done, we can continue on and the deaf community in this province can be assured that those services will be in place and it will have an option, as it does not now have.

The time is here. The committee on both French and English deaf education recognized it is, and it is time we move to that today. There are some general comments about the need for ASL and its importance that I would like to go through. Some of these comments come from people who are deaf, from deaf educators, from people who have been involved in the review etc.

I want to deal for a moment with what the people in the review said about the use and the importance of ASL. They said: "If we believe in the importance of language in education, we have to wish for every child a natural learning context in which that child is energetically involved. So the question becomes: Which language is most accessible and most natural to a deaf child? Many believe it is easier for a deaf person to use a visually coded language, than an aurally coded language."

The second example comes from a deaf student who attended Sir James Whitney School for the deaf in Belleville. He said that he uses ASL at home and he uses it with his deaf friends. I am quoting: "I prefer to use ASL because it is easier to communicate and get a better understanding. It lets you get a picture in the mind clearly and it is a more reflexive language."

We have the same thing from people who are using LSQ in Montreal. In this case, the particular woman involved is a psychologist at McGill University who deals directly with deaf education. She has said, "It turns out that there's a language centre in the brain that maps itself on to the hand or tongue—with equally expressive abilities."

In Sudbury, for example, not only do they want the ASL and LSQ when they can be developed and utilized in the school system, but there has been a need recognized by the Canadian Hearing Society in Sudbury that this has to start with preschoolers and that parents need much more training to deal with their children before they even enter the school system. In this case, the regional director, Sherry Malcho, said, "Preschoolers are now taught oral speech, and parents of deaf children have made it clear that they would like to have an option between that method and American sign language method or its French equivalent, langue des signes québécois."

Finally, I was very encouraged yesterday when I talked to the Sudbury Board of Education, a group that presented to the external review committee, to find out that it has already moved forward and accepted it. They are in fact looking forward to the debate today and hope that this bill put forward by my colleague will be passed.

#### 1040

The Sudbury Board of Education is now running ASL courses for its teachers and for parents as a result of the task force recommendations. They also have plans to offer a credit course at the secondary level, but that is going to depend on how much interest they can get in the community. However, as a board, they feel that the interest will be there. I congratulate them on the work they are doing.

At this point, I might just mention the gentleman I was dealing with over the phone last night, who was awarded a community service award by this province in November 1989 for the work he has done with the deaf community, and particularly the francophone community. I think there would be a significant statement made by the government today if in fact it agreed with the bill put forward by my colleague. The constituent, Roger St Louis, has worked long and hard for many years promoting ASL and LSQ, and it would seem to me today that the government should put its money where its mouth is, not only giving him awards and credit but actually putting into place some of his ideas and some of the dreams that he and other people in the gallery have had for many, many years.

I conclude with what I see as our role here today: Given that there is opposition around signing but given the fact that people need to have a choice, let me quote Dr Jamie MacDougall, a researcher at the McGill Study of Deaf Children in Canada. He says: "Obviously, deaf people need to use whatever hearing they may have, but the overwhelming majority of them want to go on using sign language. As educators and professionals"—and I might add, as legislators—"we should accept that. It's time we stopped deciding for the deaf community."

I urge all members to support the bill put forward by my colleague.

Mr Sterling: A few months ago I had very little to do with this whole issue but have been brought up to date since that time, as the introduction of Bill 83, whether by intent or otherwise—I am sure it was otherwise, actually—did raise the issue to perhaps a higher plane than it would have been on if the member had introduced and carried Bill 112 as we are considering it here today. I believe it was perhaps through my corresponding with Elgin and Sheila Duke from Kinburn Ontario in my riding which brought some alarm to some of the groups involved with the deaf.

Voice for Hearing Impaired Children in Ottawa wrote to the Minister of Education once it had been informed of the actual wording of Bill 83. The objections to Bill 83 related to the mandating of ASL, American sign language, as the exclusive language to be used in our educational program. In response to that, Voice wrote to the Minister of Education and, of course, sent a copy to the member for Scarborough West and indicated that many, many parents would choose another sign language or another method of communication than American sign language.

In the recent study by the Ministry of Education, very few parents would choose American sign language, but that may be because many of them are not aware of the potential of that method of communication. Today, of course, we have a bill which is very different; it is permissive and allows the use of American sign language in our schools.

I also want to say that in response to the report Review of Ontario Education Programs for Deaf and Hard-of-Hearing Students, which was prepared by the Ministry of Education, I received a response from Mrs Duke. I want to read a little bit from it, because I think there is some unfair criticism in that report. Referring to the report, it said:

"It is also reported that boards have trouble providing appropriate programs in regular schools because of low incidence of hearing impairment. In spite of this, the boards in the Ottawa area go to great lengths to provide a variety of appropriate programs. It is my personal experience that the Carleton Board of Education offers an extensive array of programs and services ranging from small class placements to full mainstreaming. Itinerant teachers of the hearing-impaired, teacher aides, educational interpreters and an educational audiologist are available as required. A variety of personal FM systems and computerized testing equipment for those amplification devices are available. Hearing-impaired students in this board are integrated with their normally hearing peers in all programs ranging from those for slow learners or learning-disabled, vocational training to enrichment and gifted programs. Students who require a total communication approach attend segregated classes operated by the neighbouring Ottawa Board of Education. Similar exemplary programs are offered by boards in Metro Toronto.

"The facts are that many integration or mainstream programs run by boards are demonstrating excellent results and these boards are not specifically recognized or given credit in this report. While these programs are successful, I do agree with statements in the report that there is a great need to develop and strengthen programs and program options in all boards across Ontario."

I wanted to give some credit to the local boards of education which in some cases in the Ottawa area—the Ottawa Board of Education and the Carleton Board of Education in particular are mentioned here—have done an excellent program in the past.

I do want to add that the next paragraph deals with the funding of those boards and the dramatic decreases in provincial help and their concern that these programs that are specifically designed for the deaf will be cut out as a result of the cutback of provincial funding by this government.

I support the member's bill emphatically.

Mr Lipsett: I would like to speak briefly in support in principle of Bill 112 regarding education for the deaf and hard of hearing in Ontario.

Having explored the findings of the Review of Ontario Education Programs for Deaf and Hard-of-Hearing Students prepared by the Ministry of Education in 1989 and having received a number of letters from people and organizations, some in support of the bill and some with concerns about it, I feel that all alternatives and options must be explored by this Legislature, including the use of ASL and LSQ in the education of deaf and hard-of-hearing pupils.

I note in the parliamentary debate of 5 May 1988 there was criticism of the level of literacy of deaf graduates of provincial programs and mainstreaming practices. Yet the Ministry of Education's review states that children aged eight, 12, 14 and 16 were tested in reading comprehension, math computation and English language principles and the results for the levels of achievement for deaf and hard-of-hearing students in Ontario seem comparable or slightly superior to those achieved by deaf populations across North America.

In light of these observations, the external review teams recommended that provision be made for province-wide collection of data, including an ongoing census of deaf and hard-of-hearing individuals, which would allow these children to be followed as they progress through the education system and facilitate service to them. The review team also recommended that the tests of student achievement measure sign language skills as well as other communications skills such as reading, writing, speaking and listening.

Again, I support this bill in principle but would like to see more detailed analysis and consultation take place before a definite date of implementation is proclaimed.

#### 1050

Mr Epp: First of all, I want to compliment the member for Scarborough West for bringing forth this particular bill and the other members for supporting it. Supporting Bill 112 is easy for me because I believe it to be timely and helpful to the present situation and to the deaf community in this province. In fact, it was the deaf community in my constituency that first drew the importance of this amended bill to my attention. They believe it to be to their advantage, and who am I to second-guess them? I have had three representations on this particular bill: two deaf people and one hearing person. Both the deaf people were supportive of the bill and one person, a hearing person, questioned the bill and had certain concerns about it.

ASL is a visual, spatial language used by a large part of the deaf community in Canada and the United States. It has its own grammar and syntax. Unfortunately, ASL is not used in teaching deaf students in the school system, even where there are many willing students available. The deaf education review of the Ministry of Education recommends the establishment of a pilot project in 1990 and the institution of making ASL a language of instruction in 1991.

We are not talking of substituting one sign language with another but of enhancing the one we have with another, giving it an international flavour, so to speak, if only on a limited scale. Some people will ask for more study, more thought, more contemplation, more procrastination. I believe there has been enough of all four. It is now time to stand side by side with the deaf in our community. Let's all support Bill 83.

Mr Reycraft: I welcome the opportunity to join in the debate on private member's Bill 112. I too want to applaud the member for Scarborough West for his continuing interest in and support for improvement of the quality of education for the deaf in Ontario. That quality of education has been somewhat maligned, I believe, in recent months.

I am familiar with an incident that occurred at the Robarts school for the deaf in London, which is not in my riding but very near to it. A large demonstration was held there essentially to promote the use of ASL in the educational system and to advocate the hiring of greater numbers of deaf teachers in those schools.

Unfortunately, the message that went out to the public following that demonstration was somewhat different. The message, as indicated by the headline in the London Free Press the next day, was that the quality of education being offered at that school was inferior. In fact, the exact word used was "lousy."

I want to respond very briefly to that because I am familiar with Robarts and I personally know many of the teachers who work there. I believe the quality of education that is available and offered to the deaf at that school is excellent. I believe there is nowhere in North America where a higher quality of education for the deaf can be obtained. Indeed, over the past few

22 MARCH 1990

weeks I have received many letters from parents of students at Robarts attesting to their satisfaction with the education at Robarts and with the quality that is provided for their children.

I believe the perception that was created by the story in the London Free Press does not match the reality. Indeed, I have been advised that a survey of Robarts graduates over the past six years indicates that 34 per cent of them go on to post-secondary education and that fully 93 per cent of the graduates of Robarts programs are employed. I think those statistics attest to the quality of education that is offered there.

I had some difficulty with the original bill that was introduced by the member for Scarborough West, and even this week, when I read its substitute, Bill 112, I was concerned. My interpretation of the bill was essentially the same as that which was provided for him by the Ontario Teachers' Federation, that it would require ASL to be used as a language of instruction in all schools where deaf education was provided.

As I listened to his explanation this morning, I now understand his purpose to be simply to remove the restriction in the Education Act which requires that only English or French can be used as a language of instruction in the classrooms of this province. It is simply to allow ASL to be used as a language of instruction where it is desired and where the numbers justify it. That is a principle that I can support. It is a different principle from the one I interpreted the original bill to include. Indeed, as I read the explanatory note in Bill 112, it still seems to me to be saying something different from what the member for Scarborough West stated this morning.

I think many who advocate the use of ASL as a language of instruction do so because they are concerned about the achievement levels in reading and writing with which graduates of our schools for the deaf leave the educational system. They believe that introducing ASL as a language of instruction will improve the reading and writing abilities of deaf students. That may be the case, but it may not be as well. I do not believe there is any educational research that indicates that will be the case.

Like all members, I received a letter from Henry Whalen, president of the Ontario Association of the Deaf, in which he indicated that it would make that kind of improvement. I asked for some information that would support that. Mr Whalen was very helpful in supplying me with a number of pieces of information but, in reading it, I do not believe it provides the kind of information and the kind of support I was seeking. Indeed, some of the information indicates there is still a great need for research into the impact of using ASL as a language of instruction in the schools.

I believe the pilot project that the minister has announced for this September will help supply some of that research information, and I look forward to seeing the results of that.

With those remarks, I will conclude my address. I do believe that while it is not inappropriate for political pressure to lead to changes in our system of our education, those changes should also be based on sound educational research.

Mrs Stoner: It is a real pleasure for me to rise today to speak in support of Bill 112 and in support of American sign language as an optional language of instruction for the deaf children of Ontario. My support comes from a number of perspectives. It comes from the perspective of support for the Voice organization of parents in my community. I speak as a member of the Legislature who has a deaf employee on my own staff. But most of all I speak as the parent of a deaf child.

My daughter Katie is a student at Sir James Whitney, the school for the deaf in Belleville, and I know at first hand the isolation of the deaf in a hearing world. For many, ASL will

provide the mechanism for a speedy, eloquent communication language. It can help provide meaningful social interaction in a community that is not available to many of the deaf in the hearing world.

I commend the member for Scarborough West for his bill, and I commend the Minister of Education for the review of deaf education in Ontario. The ASL pilot project will be watched with great interest by all those involved with the deaf community here in Ontario, but I think it will be watched by all English-speaking countries in this world.

I think this is a great step forward. I commend the member for his bill and I thank all members for the support I hope they will give it.

#### 1100

Mr R. F. Johnston: I want to thank all members for their support, much of it because of the changes we made. I admit the changes were only to clarify an intent which was supposed to be there. I am very thankful to everyone for their participation and support today, as must be our friends in the gallery who must be very gratified to see this kind of support. Before I go further, I would like to thank Gary Malkowski, Patricia Shores-Hermann and the others who have educated me so much in the last couple of years around these issues. They have been very important to me.

This is probably my last private member's initiative. Some of them have been successful in the past, others have not. I am pleased that, by the sound of things here today, this will be moving forward. I think it is important for all members to be able to see the private members' hour as a useful process, that things can come to fruition, that some change can be effected and that there can be some impact whether you are a government backbencher or whether you are in the opposition. It is my hope that from this time on we will move to seeing some major changes.

I am glad the government is moving on the pilot project. I think that is an important implementation mode to take. But the reason this bill has been brought forward is to say that the principle first has to be accepted that ASL is a language in its own right and deserves a place in the education of the deaf and in that community. It seems to me you have to accept that principle first and then move on to your pilot projects. If you just move on to a pilot project without accepting that, then the pilot project can be assessed, found wanting, even be seen to be successful and then dropped.

The long-standing debate about the integrity of this language for the deaf community is something I think finally we have to accept as an option for people who wish to take it.

When I gave my speech in June 1988, I started off with a very wooden performance of sign language, which, having seen it on videotape afterwards, horrified me. That is why I am not trying it again today in terms of giving my thanks. It re-emphasizes something I have learned recently, which is that one of the major arguments for dealing with ASL early is that because it is a language in its own right and because it has a different kind of concept within it spatially etc, it is vital to learn it early if that communication is to be really articulate. It is very difficult for oldtimers like myself to try to pick it up.

I think therefore the whole question of retraining teachers and the need for emphasis on that is a very important thing for the government to start to focus on these days. We do not want to have happen what we have seen as an analysis in some cases in the past, and that is that there is a broad range of capacity among teachers of even signed English in this province and in

other jurisdictions which sometimes causes problems in the quality of education that is being provided to the deaf recipient or deaf learner. We do not want to have a lot of Richard Johnston, wooden-style ASL instructors in the next little while who would destroy the beauty of that language and the whole intent of what we are up to.

I know the parliamentary assistant and the government are anxious that if this is to pass, it go on to committee of the whole House rather than to one of the standing committees. I do not have difficulty with that in the sense that we have already had a major public discussion through the review process that has taken place. I think people understand that we can move the kind of amendment I was talking about in committee of the whole House as easily as we can do that in a standing committee of the House. But I worry a little bit about the tendency that may develop—not to say it is developing—which would start to use the committee of the whole House as a way of deep-sixing initiatives by private members.

I would suggest to the parliamentary assistant, if he can take it back to the minister and to the government House leader, it would be our intention and I am sure the third party's intention as well that a session of the committee of the whole House could take place very quickly and that the next move could be half an hour later if the government wishes in terms of taking the initiative to make this law.

For a private member it would be glorious to be one of the handful in the whole history of this place who actually saw his or her legislation become law. I am not wedded to that. If the government instead wishes to bring forward its own law and bring this quickly through various stages, I would welcome that as well. I do not take personal ownership of this initiative but rather wish the initiative to be taken and a context for the pilot projects to be set.

Again, I just thank all members for their support and hope that the government will accommodate that and try to bring this forward and squeeze it in among some of its other major priorities in the next little while to show the good wishes both of myself in terms of my amendment and the government's own commitment to the pilot project process it is undertaking.

#### TAX INCREASES

Mr Harris moved resolution 38:

That in the opinion of this House, recognizing that 32 tax hikes have been inflicted on the people of Ontario since 1985 because of government growth and spending increases, the government of Ontario should immediately freeze current public service staffing levels and present a balanced budget with no tax increases in the spring of 1990.

Mr Harris: I am pleased to have the opportunity this morning to talk about what I believe is leading to a very uncompetitive situation in our jurisdiction vis-à-vis the rest of Canada, vis-à-vis the jurisdictions that our businesses and our companies must compete with.

First of all, right at the outset I want to put into context what my motion means, what restrictions it would put on the Treasurer, on the Premier, on the executive council. I would urge all the members of this Legislature to support this resolution and to say that we, the people, think there is a limit as to what you can give one person the power to do when those decisions of the budget have such an impact upon all of our province.

I have said in my resolution that there should be no tax increases. If people have read the prebudget submissions that I prepared on behalf of our party for the last three or four years,

the same principles were there and I called for the same thing each and every one of those times in the prebudget submissions, and it has fallen on deaf ears. I am taking this opportunity today to present it in a little different way and at least try to get agreement in principle.

If there is a tax freeze, according to the Treasurer's own figures, revenues into the Treasury this year will go up 8.1 per cent. All our taxes are indexed. They will all go up by the rate of inflation. The 1.6 per cent real growth that Treasury has given me and that it is predicting for Ontario in the next year produces the additional revenue, and after the \$1-billion windfall that the Treasurer received a few weeks ago, we should be looking at revenues, without a tax increase, of about \$44.1 billion or \$44.2 billion coming into the province.

The projection for inflation for Ontario is 5.8 per cent over the next year. So, if we do not cut one single thing, if we maintain all the new spending increases and programs, there will be in excess of \$1 billion of new money come into the provincial Treasury this year as a result of the tax mechanisms that we have in place.

Some people have said to me, "How can you have a tax freeze and still balance the budget?" As we know, with the \$1-billion windfall that came in, the budget is in effect in a balanced position today, depending on what new spending increases run amok over the last three months of this period.

#### 1110

What I am asking members to approve in principle today as a direction for budgetary policy does not require the government to cut anything. Those who have heard me speak in this House over the past nine years and who have followed some of the things I am calling for know that I have indicated I would like to cut some things. I have said that publicly and I have indicated some of the areas that I would cut.

But under what I am asking members to approve today, the government would not have to cut anything. All it would have to do, if this is adopted by this Legislature and by the government, is to say, "We will not increase growth beyond \$1 billion of new money in the next year." Surely that limited amount of restraint to the overall picture of how we are going to operate in Ontario ought to be supportable by this Legislature.

The second part of my motion calls for a freeze on the growth of the civil service. It has grown, by the government's own estimates, not including this year, by over 7,000 new civil servants, an increase of about 10 per cent in the past four or five years. Some estimates have that as high as 9,000 or 10,000, depending on the base we can use for the figures. The answer is probably somewhere in between.

I believe we must send out a signal that recognizes that with the federal taxation, provincial taxation and municipal property tax base, we are at or in excess of the limits we need to be to be competitive in this jurisdiction. That is the simple principle and statement I am asking members of this House to support today and send that signal out, as it is our duty, I believe, as elected members of this Legislature to give direction.

This is a different kind of motion to be brought forward in private members' hour. Most motions are private members' pet projects or new spending initiatives. It is very easy in opposition, and I know this, to sit back and say: "You are not spending enough money here. We need more grants in northern Ontario. We need this. We need more four-lane highways. Why aren't you satisfying this need? This interest group feels it is shortchanged. School boards need more money."

I am here today as an opposition member, I think in a responsible way, saying no to everybody: no, not unless it is in the overall context of making sure that Ontario is going to be

competitive.

If we look at what has happened over the past five years during relative prosperity, economic good times for the richest province in the country, our debt has gone up 33 1/3 per cent. It was \$30 billion when the government took office; it is \$40 billion today. The \$30 billion was a disgrace—much better than the federal government, we know that, but it was a disgrace. Some of the people who preceded me and my party have to accept some responsibility for that. But during this boom economic time, to have run that from \$30 billion to \$40 billion s an even bigger disgrace, and we ought to be ashamed of ourselves as elected members to have been party to that.

When the government took office, there was a tax advantage to locating in Ontario vis-à-vis Quebec. We had a Liberal government here in Ontario and we had a Liberal government in Quebec, operating in the same country and in the same federal fiscal climate. Before this government's last budget was brought in, here is what had happened. For corporations, in 1985 there was a 9.6 per cent tax advantage to locating your company in Ontario versus Quebec. In 1989, before the government brought in its budget, there was a 1.8 per cent tax advantage. Quebec knew it was uncompetitive, and the same Liberal government through that period of time has cut taxes in Quebec.

For individuals, in 1985 there was a 10.5 per cent tax advantage if you lived in Ontario versus Quebec. Before this government's last budget, which brought in the new increases in taxes—the payroll tax, the tire tax and the new fees—it was down to a two per cent tax advantage. Quebec, with a Liberal government, has recognized the reality that you must be competitive in this area if you want industries to locate in your urisdiction, to service the North American market or indeed the world market.

The new money that they have—they still have new money because of increased economic activity, the same way we nave—has gone into infrastructure because they recognize another reality: If we have a competitive tax climate and we put our dollars into infrastructure, sewers, water, roads, hydro think of the hydro investments in Quebec over the past 15 years; think of the hydro investments in Ontario, which have been none—businesses and companies will want to locate in one's jurisdiction. One will not have to bribe them.

When there is a new plant opening and we are all there to cut the big, fat ribbons and argue about whether they are red or blue and about how many federal dollars brought these 500 jobs to our community or how many provincial dollars brought this factory to our community, we should sit back and say, "What systems do we have in place that were so uncompetitive that we had to bribe this company to come and locate in Ontario?" It is a disgrace. Instead of trying to compensate by more and more grants to bribe them, to have to pay them to come into one's jurisdiction, we had better begin to look at why we had to bribe them; why we are uncompetitive.

I am asking the members to support this resolution today, which does not put undue restraint on the Treasurer, on the Premier, on the executive council, over this next year.

Mr Pelissero: It is a pleasure to take part in the debate today. If we look to the honourable member's resolution, he is asking for two things: a freeze on the public service and a balanced budget. He probably should say a balanced budget again because, for the first time in 20 years, the Treasurer of Ontario has been able to balance the budget. That has been in spite of the cutbacks from the federal Conservative government in Ottawa, in some cases to the tune of almost \$2 billion.

He talks about the windfall of almost \$1 billion in terms of the taxes that have come back through the income tax system. A little later I will touch on how, as a province, we have been spending the people's money.

I should tell the member right up front that I am not going to be supporting the resolution for two points. The first point is probably from a traditional role. The member, as he has mentioned, has submitted I guess a minority report in some cases to the standing committee on finance and economic affairs. In the last two or three years they have been doing a budget preparation for the Treasurer, and I think that has been a useful exercise. I was vice-chairman of that committee.

In terms of requests—as an example, for the educational system—we had requests, if we granted everyone's wish list, of close to \$7 billion. In education alone, we have managed to increase capital expenditures by more than \$1.2 billion over a four-year period compared to what it was in the previous administration.

Second, and I think more important, it is inaccurate to try to imply or to tie together that the public civil service has an impact in terms of balancing the budget and that somehow we as taxpayers are not receiving value for our dollar.

When he became Treasurer in 1985, the Treasurer inherited really three deficits. The first deficit was the operating deficit of almost \$2.6 billion on a budget of \$26 billion. The second deficit had to do with unfunded liabilities in workers' compensation and the teachers' pension plan, and that literally was in the billions of dollars. Third, and I think most important, was the deficit that we inherited as a government and as a Treasurer with respect to a deficit on social services and spending on people.

#### 1120

What is the state of the union today? We heard the Treasurer announce just recently that the budget for 1989-90 will be balanced. On a \$41.6-billion budget, we will have balanced it. In terms of spending-basically, money coming in and going out-that is the equivalent of about \$110 million a

What has the province, through the various ministries, been spending that money on? We have been spending it on health care, education, transportation, municipalities, social services, the environment. I think it is important to put on record some of the figures in the last four or five years, when the Treasurer in fact has been the Treasurer.

For example, there have not been any cuts to our health care. In 1984 that was about \$8.3 billion out of the total budget. Today, in 1989, our health care budget is approaching \$14 billion. There has been about a \$5.6 billion increase, or about 67 per cent, since 1984-85. Our social services spending has been up by 95 per cent since 1984. As well, our child care, as an example, has increased 30 per cent year over year. Since 1984 there has been a 90 per cent increase in money allocated to the environment.

The same is true in every ministry. In education, capital allocation for school construction was only \$77 million in 1984-85. Last year, in 1989, there was a \$1.2 billion announcement of capital allocation, spread over four years. For colleges and universities there were 48 per cent and 42 per cent increases respectively.

Transportation, as an example, was up 46 per cent from 1984. On top of that, there was an additional \$2 billion allocation for capital programs, in terms of not only the Toronto area but other parts of the province as well. Spending on municipalities since 1984, in terms of transfers to the municipalities, has increased by 53.6 per cent.

We have also, I guess, from a cash flow perspective, advanced to the municipalities, hospitals, school boards etc, a lot earlier than normally was the case so they are able to plan their budgets more effectively and in some cases look at where they are going to spend the unconditional grants that have come along.

This is in spite of the cuts we have seen from the federal government in a number of established programs, cuts we have had to absorb as a province.

I would like to come back to parliamentary tradition for a second. Normally it is the Treasurer, through various mechanisms, consulting with groups individually or through the standing committee on finance and economic affairs, who presents a budget to the Legislature for its consideration. It is not the other way around, in terms of the Legislature, even though it is by resolution, placing certain restraints and constraints on the Treasurer.

Again, two things were asked for by the member in his resolution; one was a balanced budget and the second component was freezing the civil service. I think it is pretty well a common political trick to try to beat up the civil service when you are in opposition. I am sure the member can drag out all kinds of quotes where Liberal members made statements about the civil service when we were in opposition. I think it is important to remember that the civil service includes many individuals, men and women, who live in all parts of Ontario, who work and earn and are vital participants in the communities in which they reside. I think it is also most important to recognize that according to the most recent statistics, as of 1 June 1989, Ontario had fewer civil servants per capita than any other provincial government, or indeed the federal government. That would suggest that in Ontario the public service is able to provide its high quality of service more efficiently than anywhere else in Canada.

In order to leave some time for my colleague the member for Middlesex, I simply want to say that I cannot support the resolution put forward by the honourable member for Nipissing.

Mr Wildman: I want to speak briefly to this resolution and to say that in my experience in this House since 1975, arguments over the numbers of civil servants have always struck me as being rather phoney. I say that regretfully because, in my experience, governments of both the Liberal and Tory stripe have patted themselves on the back from time to time about keeping the numbers of the public service down and have argued that this is an indication of how much more efficient the bureaucracy at Queen's Park is than the bureaucracy in Ottawa, for instance.

Tory governments at Queen's Park have always pointed to the bloated bureaucracy in Ottawa. Now we hear the Liberal government arguing along similar lines. The fact is, the way the government in Ontario—and, frankly, the government in Ottawa too—keeps the number of civil servants down is by contracting out. It might put a limit on the number of civil servants, but that does not mean it is going to limit its expenditure of funds, and it does not mean it is going to limit the numbers of people who are actually working for the provincial government. It just means that more and more people are going to be hired as so-called temporary or nonclassified staff.

Hon Mr Patten: Or full-time consultants.

Mr Wildman: Or consultants, or they are going to be working on these so-called nonrenewable contract jobs.

In my constituency there are people who have worked their whole working careers in the Ministry of Natural Resources and the Ministry of Transportation as so-called unclassified contract employees; they work nine or 11 months a year on a contract, are laid off, collect unemployment insurance for a little while and then start on a new contract the next year, most of them with very few benefits. At one time they had no benefits; they now at least get some sick leave and some medical benefits.

It is a most inappropriate way of delivering service to the province and to the people of Ontario, and it is a most inappropriate way of treating public employees, because that is what they are. To say, "We have limited the total complement of the civil service and therefore we are husbanding the tax revenues in a responsible way," or "We are delivering service efficiently," frankly is just a lot of bunk.

The governments must not falsely report the number of people who are actually working for the provincial government, and I believe they must not continue to contract out because inevitably, on nonrenewable contracts, employees are paid substantially less than they would be if they were permanent employees, they have less benefits and there is almost no guarantee, in my view, that the quality of the work they are doing is the same as it would be if they were full-time, well-trained employees of the provincial government within the public service.

Despite the fact that there were promises in 1985 that this practice would end, we have seen that it has been accelerated by the Liberal government. The Ministry of Natural Resources is contracting out more and more of its work, not less. Tree planting is a very good example. Instead of hiring people, as the Conservative government had done before, even on short-term contracts, to do tree planting directly for the government, this government is now contracting with people who many times are former employees of the Ministry of Natural Resources, who then hire the people who might have worked on temporary contracts directly for the ministry but pay them \$7.50 an hour instead of the \$11 an hour they would have gotten if they had been working for the ministry. It is a nice way of being able to say, "We're able to plant more trees with less money," but in my view it is also a sort of sweatshop approach to providing service to the people of Ontario, and it is just not appropriate.

#### 1130

I want to make it clear that I am not talking about firefighters for the Ministry of Natural Resources or, for that matter, snowplow crews for the Ministry of Transportation. Everybody recognizes that those are seasonal jobs. I am talking about the numbers of employees who are working for the provincial government as unclassified staff on contracts, who the ministries themselves admit are required by the ministry: the ministries could not operate and could not provide the services for which they are responsible without these employees.

I would like a representative of the government—and I honestly do not believe I am being partisan in this; I do not care whether it is a Tory government or a Liberal government—to actually get up some time and say: "These are the numbers of people we need to provide the services that we're required to provide to the public of this province, and we're prepared to pay them adequately and ensure that they have the benefits they deserve. We're not going to give out false numbers about limiting the public service. We're actually going to be honest with

he people of the province and treat our employees as they hould be and ensure quality work."

It is not just in Natural Resources or the Ministry of Transportation that this happens. It happens in every ministry of the government. We see contracting out in the Ministry of Community and Social Services and the Ministry of Health. It is tappening right across the government.

I will finish off by saying that in my part of the province, where we have had some serious economic dislocation, and that economic dislocation continues, this practice hurts not only the employees but also the communities in which they live and heir families. In my view, it is a despicable way of treating the public employees.

In our area of Ontario it sometimes seems that the only rowth industry is consultancy. If you want to make money working off the provincial purse in this province, become a onsultant. What does a consultant do? A consultant is hired because you want to find out something; so you hire a consultant and the consultant tells you. He says, "What would you like to know?" You tell him what you want to know, and he writes it down and gives it back to you. That is, in essence, what a consultant does, in my view.

There are more and more consultants, and interestingly a number of them are former public employees who leave the rublic service and then are hired by the government to do the vork they would have been doing if they were still in the public ervice. It is stupid, it is false economy, it is an unfair way of reating employees and, in my view, it does not ensure quality work.

Mr McLean: I am pleased to have this opportunity to say few words on this extremely important resolution put forward by my colleague the member for Nipissing. I think it is so mportant that this resolution bears repeating once again. The esolution says, "Recognizing that 32 tax hikes have been indicted on the people of Ontario since 1985 because of government growth and spending increases, the government of Ontario hould immediately freeze current public service staffing levels and present a balanced budget with no tax increases in the pring of 1990." We will still have a \$40-billion budget with hat happening.

This government has demonstrated the disastrous tendency of hiring and spending like there is no tomorrow. Unfortunately, nothing the taxpayers of Ontario, who are called upon time after time to lig deeper into their pockets to pay for this government's casual attitude to the public purse.

My colleague has outlined that since 1985 there have been 62 tax hikes from this Liberal government. It is true that spending increases have averaged 10.1 per cent annually. It is shocking when we speak of the number of new employees who have been hired and where they have been hired. The problem is that he increase has been in administration in ministry offices and not in the field where the real work is done. The government of in the field where the tax burden lies. It lies squarely on the backs of he taxpayers in Simcoe East and those throughout the rest of he province.

We have continually raised the issue with regard to administration spending. Based on a review of the expenditures of 25 government ministries, my party determined that the administration spending programs have increased by a whopping 43.7 per cent since this government came to office. I think the people of Ontario should be made aware of this. They should be rold that this government is spending like a drunken sailor and

not taking the concerns of the people into account. It is going to administration.

Here are some of the facts that the people of Ontario should know. Relative to 1985-86 levels, spending on ministry administration programs in the current fiscal year is up by 50.7 per cent. Spending on administration programs has increased at a greater rate than total budgetary spending in three of the last five years surveyed.

Some of the administrative spending increases in specific ministries are astronomical. When you look at the increase for 1988-89 over 1985-86, for instance, the increase was 350 per cent for the Ministry of Northern Affairs and Mines, 297.5 per cent for the Ministry of Skills Development, 142.9 per cent for the Ministry of Financial Institutions, 116.1 per cent for the Ministry of Colleges and Universities and approximately 100 per cent for both the Ministry of the Environment and the Ministry of the Solicitor General.

These figures are shocking. There is no other word for it when you stop to think that this government is using 32 tax ripoffs to pay administration program costs. This money is not being taken from people to help pay for programs to help people. It is being taken from people to help pay for this government's program of empire building. That is not acceptable to me and it is not acceptable to the people of this province.

Members may recall that on 19 February, one day before the federal budget, Ontario's Treasurer made a big production of announcing that his government would balance its budget for the first time in 20 years. But we all know it was no coincidence that the Treasurer chose to make this announcement the day before the federal Minister of Finance tabled his budget. We all know the Treasurer's balanced budget put his government in a good position politically to respond to the federal budget, which took a hard line on spending and hit federal transfer payments to the provinces. Ontario still has a \$40-billion deficit with the Treasurer still talking about balancing the books. The books are not balanced at all; there is still a \$40-billion deficit.

Both the Treasurer and the Premier said that the feds were hitting the poor and our children by cutting transfer payments for health and education. But we know this is not true, because it is up to the province to determine how the transfer payments are spent. If anything, it will be this Treasurer and this Premier who will hit the poor and the children in Ontario. Last year, transfer payments from the feds to the province were up over seven per cent; this year, it will be 2.5 per cent, which is approximately \$9.3 billion. So the transfer payments are not being cut. They are still being increased, but the percentage is being cut compared to the 10.1 per cent that this government is spending.

The people of Ontario know these books are not balanced. It was the result of good fortune and not good management. It was good luck and not good policy. The taxpayers of Ontario have not been fooled for one minute. They know that it is no great accomplishment to balance the budget after years of sustained economic growth and massive tax increases. They know that 32 tax increases are a high price to pay for the balanced budget. They know that the budget was balanced on the backs of the taxpayers and not through an effort on the part of this government to control expenditures.

#### 1140

Enough is enough. The logical thing for this government to do is to listen to the member for Nipissing. The logical thing would be to freeze the current public service staffing for their administration and to bring in a balanced budget with no taxes.

It is interesting to note that this year the Treasurer has reduced the budget expenditures in agriculture by over \$39 million from what they were in 1988 and 1989. Can you imagine, the very commodity that the people need to live on, and that budget is being reduced.

It is also interesting to read Diane Francis in this morning's paper—I usually read her column; it is always interesting, the different perspective that she puts on—with her views with regard to the Ontario budget. The Treasurer took the opportunity to send a letter back to her. Where she had indicated it was a 10.5 per cent average yearly increase, she says the Treasurer says: "Bottom line is you say government can spend as much as it likes as long as taxes cover it. Put another way, you say taxes are never inflationary." Well, it is inflationary.

Here is another question that she asks the Treasurer:

"In Ontario, will businesses that must pay your new medical care levy on their payroll, square-footage rent tax (aimed at landlords but paid by tenants) and additional parking lot taxes not cause inflation when they include this in their price structure? If not, that's great news. I thought we were pricing ourselves out of competition with all these new taxes."

But according to the Treasurer, it is not. He thinks it is fine to continue to raise taxes and continue to spend at a rate of over 10 per cent a year. He is getting \$5,000 out of every man, woman and child in this province, and our debt is still over \$40 billion.

It is interesting when you look at some of the statistics with regard to the Office of the Premier how the increased expenditures have taken place there, over \$235 million increase in one year—unbelievable; the Cabinet Office, the increased expenditures there; administrative costs in every ministry, the increased expenditures there.

This great tax increase has gone to pay for administration. It has not gone to pay for the government programs that people need the help from. That is in essence what raising taxes is about: to provide the services, to provide the programs. No doubt a percentage has gone to that, but the greatest percentage has gone for administration in government offices and that is a proven fact in the statement of expenditures by program.

Mr Reycraft: I welcome the opportunity to join the debate on the resolution by my friend the member for Nipissing. I have read his resolution carefully a number of times, because I thought, in a resolution that talked about balanced budgets, that the member surely would have wanted to include something commending the Treasurer for having balanced this year's budget. While I have re-read it a number of times, I cannot find any commendation like that.

The balanced budget that the Treasurer announced in February is a very rare achievement. As my friend the member for Lincoln pointed out earlier, it is the first time that it has been accomplished in 20 years and it is only the third time that it has been achieved by a Treasurer of this province in the last 40 years. That achievement is significant because it proves that it is possible to make progress towards social justice at the same time as one maintains fiscal responsibility.

Spending by this government has increased in the almost five years since we took office. There is no argument about that. Those increases have gone into very important areas: health care, education, welfare services, child care, support for municipalities and for school boards, even for pay equity, an issue on which I notice my friend the member for Nipissing now has an opinion different from that of his party.

It is interesting that when a minister of the crown stands up to announce an increase in spending for one of those very important programs, the response of the opposition is usually the indicate that the increase is inadequate; that more should be done.

**Mr Sterling:** Not from this party.

Mr Reycraft: My friend the member for Carleton says "Not from this party." Just yesterday his colleague the membe for Parry Sound was up imploring the Minister of Health to provide more funding for nurses for critical care programs, and he says we do not hear that sort of thing from his party.

To neglect the funding of important programs like those have mentioned in the interests of maintaining a fiscal balanc is simply not responsible. Deficits can come in many shape and in many sizes, and deficits in health care needs, pupil place in schools and social services needs are every bit as damaging to a province and its economy as are fiscal deficits. Therefore we have introduced new and progressive programs to try to achieve a greater degree of social equity and social justice in this province and we have funded those programs.

It has not been easy, because while we have been trying to do that, the federal government has been reducing its transfer to the province. In the February budget announced by the Mini ster of Finance, he again decreased our revenues by some \$500 million. That is \$500 million that the Treasurer had planned to use for the funding of health care, post-secondary education and social services that we are now going to have to deal with.

There are only three ways to deal with those kinds of trans fer payment reductions. You can reduce services, you can in crease taxes or you can go out and borrow money. The Treasurer does not want to do any of those things, but somehow we are going to have to address that reduction of \$500 million.

Some people have accused the Minister of Finance on othe occasions of taking a shotgun approach to deficit reduction. He cannot be accused of doing that this time, because when you look at how other provinces have been affected by his transfe payment reductions, none have been affected in the way On tario has. He has used a very targeted approach to put that deficit on to the backs of the Ontario taxpayers; there is no question about that.

Some have criticized us by saying that we are doing the same sort of thing to achieve our balanced budget, that we have somehow reduced transfer payments to municipalities and school boards and our other transfer partners, that we have passed our deficit on to the municipal taxpayers.

That is not the case. Some information done by a very astute economist named Harry Kitchen at Trent University in Peterborough on the utilization of property taxes has provided some very interesting information. When one looks at the channes ges in taxes over the past 20 years, one sees that since 1968 income tax revenue as a percentage of gross domestic provinical product in Ontario has increased from 9.6 per cent to 12.1 per cent; so income taxes have gone up. Sales taxes over the same 20-year period have gone from 1.6 per cent to 2.7 pecent; sales taxes have gone up. Property taxes in 1968 were 3.6 per cent of the gross domestic provincial product. In 1987, 20 years later, they were 3.6 per cent of the gross domestic provincial product—virtually no change in municipal taxes in tha 20-year period.

Balanced budgets are laudable objectives, and certainly it is something that the Treasurer wants to achieve this year. We will work hard to do that. At the same time, we know that we must provide adequate funding for essential programs in this province. Those are also important.

There are other comments I would like to address this morning if I had more time. I would like to talk about the matter of the provincial debt that was raised, because the provincial debt of \$40 billion was accumulated in large part by a number of Conservative governments leading up to 1985. I would like to talk too about that civil service freeze and about the process. Time simply does not permit that.

I have enjoyed the opportunity to put forward these comments, and I will be opposing the resolution from the member for Nipissing.

#### 1150

Mr J. M. Johnson: I stand in support of this resolution presented by my colleague the member for Nipissing. I know that many of the members in the Legislature will feel that they should support it too but, because of compelling reasons, they may not want to vote for it. That is acceptable. It takes a lot of nerve to defy your government, even when you know it is

Many points have been made about the hiring of civil servants and increasing the complement by several thousand. When it is mentioned, the Premier and certain ministers take exception and use the argument that these civil servants are hired for environmental protection, to be used in the Ministry of the Environment. I am sure the Minister of the Environment does not require several thousand extra people. Therefore, it is hard to determine what purpose these people serve. I think that if the government really wanted to, it could do the job it is doing with less people. The Minister of the Environment likely needs some help, because the example at Hagersville demonstrated that he does not really know what is going on in his ministry.

As far as taxing is concerned, they tax people with the new tire tax of \$5 that brought in \$35 million and they spend \$1 million of it. That is pretty good. They are certainly fulfilling their mandate to protect the environment. Three cents on every dollar; that is not bad. It certainly does not show very much support for the Minister of the Environment's efforts, at least that he pretends to be interested in.

They brought in a fishing licence, the first time in the history of the province that we have had to tax people to enjoy the sport of fishing. Now there is talk that the quota for sport fishermen will likely be decreased. That certainly does not strike my constituents as very fair.

Mr Speaker, I could go on at length with the gory details about the taxes imposed by this government, but I know you do not want me to belabour the point.

I would like to bring forward one concern that I have. In the nearly 15 years that I have served in the Legislature, I have never had as many calls as I had these past few months over taxes. Our citizens are fed up with taxes—municipal taxes, provincial taxes and federal taxes. Every level of government is taxing our people too much.

Surely there is some place where we have to say enough is enough, and I think that is what the member for Nipissing has tried to do: to tell us all that we have reached the point where we should start to think in terms of what it is doing to the people who are earning this money to pay the taxes. They are getting tired of seeing most of their wages go to taxes. For heaven's sakes, let's support the resolution presented by the member for Nipissing and call a halt to this tax grab.

The Speaker: Is there any time for the government party? No time, I am sorry. We have five minutes left for the New Democratic Party. No? I believe there are two minutes plus the sponsor's two minutes which the member for Nipissing may wish to use.

Mr Harris: Before I sum up, I want to briefly comment on some of the other speeches that were given.

First, the member for Algoma spoke on cutting the civil service and then increasing contracting out. I agree with him that if that is all the exercise is to do, that is not an accurate and true picture. That is why my resolution covers two aspects. It says that the total spending, as well, is going to have to be controlled; somebody has to stand up and put some restraint on. Given that, and now that he understands I am trying to do it from both ends to make sure the government cannot fudge the figures, I hope he will support the resolution.

Second, he said both Liberal and Conservative governments do this, and federal and provincial governments do it. He is wrong. It was the Liberal government in Ottawa that built up the civil service in its last five years; some 13,000 or 14,000 positions have since been cut back. The Conservative government in Ontario had cut back some 7,000 or 8,000 civil servants over eight or nine years. The Liberal government has added that many back in four or five years.

There is a trend. Liberals like big government, big bureaucracy; government will do everything for all people. Conservative governments would like to leave some money in the hands of the people, recognizing that perhaps they know better how they want to spend their money than government does in telling them how their money is going to be spent.

The bottom line of this, and the final argument I wish to address before I sum up, is that the Liberal members have said, "With the federal government cutting back, how can we possibly balance the budget without increasing taxes?"

On Monday, three weeks ago, the Treasurer announced, "I got \$1 billion of new money I didn't expect—unexpected from the federal government in transfers." On Tuesday he said: "I've been cut back \$480 million. Woe is me. Where will I find the money?" He should look at the cheque for \$1 billion he got yesterday. That is where he can find the money, and he still has half a billion left over. Now he says, "What am I going to do next year?" With no tax increases, he will get \$1 billion of new money over and above inflation, so we can afford to make that up and still have half a billion dollars' worth of new money.

The bottom line is this: We are becoming uncompetitive in Ontario. We are out of sync with this whole country. Admittedly, we are uncompetitive in Canada as well. We have a problem there. But that is Ontario's problem too. It is not good enough to say, "Oh, that's the federal government." Who do you think pays the bulk of the federal taxes? Who do you think has to repay the deficit? By and large, it is the people of Ontario who have to pay most of it.

We are the richest and the biggest province. In a time of economic prosperity, how can the wealthiest province say to the rest of the country: "We don't care that you are under restraint. We don't care that the federal deficit is massive and that you've got to cut back your expenditures. We are going to increase our spending 10 per cent each and every year. The heck with the rest of the provinces. The heck with the federal deficit problem"? That is what is happening in this country. We are being uncompetitive as a country, and Ontario, within the country, is becoming more and more uncompetitive.

I close with this: It is not fair or right to young people to say, "You pay back what we want to spend today." Until we recognize that, we are not doing our job as legislators.

**The Speaker:** That completes the allotted time for ballot item 35 and ballot item 36.

#### **EDUCATION AMENDMENT ACT**

**The Speaker:** Mr R. F. Johnston has moved second reading of Bill 112.

Motion agreed to.

Bill ordered for committee of the whole House.

1205

#### TAX INCREASES

The House divided on Mr Harris's motion of resolution 38, which was negatived on the following vote:

#### Ayes-11

Brandt, Cousens, Cunningham, Eves, Harris, Jackson, Johnson, J. M., McCague, Pollock, Sterling, Villeneuve.

#### Nays-48

Breaugh, Bryden, Carrothers, Chiarelli, Cooke, D. R., Cooke, D. S., Daigeler, Dietsch, Eakins, Elliot, Farnan, Fawcett, Ferraro, Fleet, Fulton, Furlong, Grandmaître, Grier, Henderson, Hošek, Kanter, Keyes, Lupusella, MacDonald, Mackenzie, Mahoney, Mancini, McGuigan, Neumann, Nicholas;

Nixon, J. B., Oddie Munro, Owen, Patten, Pelissero, Philip, E., Poole, Ray, M. C., Reville, Reycraft, Roberts, Ruprecht, Smith, E. J., Stoner, Sullivan, Tatham, Velshi, Wildman.

The House recessed at 1210.

#### AFTERNOON SITTING

The House resumed at 1330.

#### **MEMBERS' STATEMENTS**

#### **TONYA GOSS**

Mr Kormos: I want to tell members about Tonya Goss. She is a remarkable young woman. We in Welland are extremely proud of her, and the province can be proud of her as well.

Tonya is a 17-year-old resident of Dain City. Earlier this month she was selected and crowned Miss Teen Canada. This is the second consecutive time that a contestant from the Niagara Peninsula has become Miss Teen Canada, but it is a first for Welland and Dain City. Earlier, Tonya had won the Welland Winter Carnival Queen contest and then Miss Teen Niagara.

She is an impressive young person who has broad and varied interests. An extremely capable student at Notre Dame College School in Welland, Ms Goss is also an active athlete in water skiing, gymnastics, swimming, aerobics, a golfer and a power cheerleader for her school teams. In addition to all those activities, she is a volunteer for the Red Cross in Welland and a peer tutor at her school.

Her schoolmates were as excited as Tonya was about her win. Many of them, while expressing great pride, did not express surprise. A common comment was, "I knew she'd do it."

Tonya's parents, Bob Goss, a General Motors worker, and Linda Goss, can and should be very proud and very pleased with Tonya. I know this Legislature joins me in congratulating Tonya, her parents and her sisters Tara and Tiffany.

We wish her the very best and we thank her for her contributions to her community. We look forward to Tonya Goss's successful future and her continued input into her city and her province.

#### GREEK INDEPENDENCE DAY

**Mr Jackson:** I rise to acknowledge Greek Independence Day, which will be formally observed this weekend, on Sunday 25 March.

In 1453 the glory which was the Byzantine empire fell at the hands of the Ottoman Turks. In the ensuing years of national oppression, Greek identity and its spirit of independence were kept alive by the work and example of heroic leaders such as the new martyrs, who promoted education and community service ideals.

Among the most famous of these was a woman, St Philothea. The schools and charitable institutions she founded survive to this day. She was given the singular tribute of having her body enshrined in the National Cathedral of Athens.

Greek dreams of independence were quickly stimulated in the early part of the 19th century, with the war of liberation having begun in 1821 under the leadership of Alexander and Demetrius Ipsilanti. Many European nations recalled the great cultural debt they owed to Greece and sent volunteers to assist the Greek nation at its moment of greatest need. Lord Byron was one of these, and upon his death, to commemorate his acrifice, his heart was buried in Greek soil. In 1832, Greece obtained its freedom.

At this special time of remembering the heroic deeds of days past, and on behalf of the Ontario Progressive Conservative Party, I would like to extend my warmest and best wishes to all members of the Greek community for a happy Independence Day. Yassoo.

#### **EDUCATION OF HEARING-IMPAIRED**

Mr Adams: As a follow-up to the debate on Bill 112 this morning, I would like to summarize the philosophy of education of the Ontario Association of the Deaf: to preserve and protect the interests and rights of all deaf children to learn American sign language; to give deaf children an opportunity to be exposed to and interact within a sign-language environment; to stimulate full language acquisition and a strong self-concept; to educate those associated with deaf children by providing orientation to deafness and sensitivity training programs; to encourage high-quality education counselling and human resource services to meet the intellectual, social, emotional, physical and language needs of deaf individuals; to ensure that teacher training programs of the deaf are designed to allow deaf students to become effective citizens in both the hearing and the deaf worlds-the focus should be on the bicultural and bilingual approach; to upgrade and promote effective communication skills in deaf children—this refers to the involvement of deaf professionals in the school systems to act as role models as well as enhancing students' communicating skills; to actively advocate for the interests of the deaf community in all aspects of life, and to develop an effective network and strong relationship between the deaf and hearing communities.

#### WORKERS' COMPENSATION

Miss Martel: In recent weeks the Workers' Compensation Board has run a series of advertisements regarding Bill 162 in newspapers, on radio and on television. The advertisements describe how the new workers' compensation legislation will ensure that regardless of injury, workers can be assured of a regular paycheque, rehabilitation, reinstatement and stability after their accidents.

The Ontario Coalition for Workers' Compensation Reform today has announced it will make a formal complaint to the Advertising Standards Council and to the Workers' Compensation Board regarding the ads. The coalition claims, and rightly so, that the ads violate the Canadian code of advertising standards for three reasons: They are inaccurate, misleading and imply that injured workers have a right to re-employment as a consequence of Bill 162. They exploit the misery felt by many injured workers by offering false hope to thousands who will, in fact, never be retrained or get back to work.

For example, the worker John states that he now has the right to reinstatement because of Bill 162. In fact, if John was injured before 2 January 1990, if he worked in an establishment with less than 20 employees or if he did not have one year's continuous service before being injured, he will not have a right to be reinstated. John or any other worker in similar conditions is exempt from being reinstated with his or her accident under the act.

Toronto WCB clinics, in particular, have been swamped with calls from injured workers seeing the ads. They are outraged and frustrated, as they know their own experience with the board was nothing like the rosy picture which has been painted, and they also know that Bill 162 will not make it any better.

#### DON McEWEN

Mr Pollock: I would ask that all members join with me in paying tribute to Don McEwen for his efforts to take part in the Iditarod, the longest sled-dog race in the world.

Mr McEwen was the only Canadian to take part in this classic sled-dog race which ran from Anchorage to Nome, Alaska, a distance of 1,160 miles. This route for sleds, originally a mail trail blazed by prospectors around the turn of the century, became famous in 1925 when 19 mushers succeeded in a desperate mission, getting diptheria serum to Nome to quell an epidemic.

Nearly half a century later, in 1973, the first Iditarod, an Indian name meaning "distant place," was run. Mr McEwen finished 31st out of 70 entries. It is a real achievement even to complete. Sometimes the temperature in the interior of Alaska dips to 60 degrees below zero Fahrenheit, and with the wind-chill factor it is even colder than that. This was a real test of stamina and perseverance.

I am honoured that Don McEwen is a constituent of the riding of Hastings-Peterborough. He has been active in promoting sled-dog racing and very actively involved in the Marmora sled-dog competition.

1340

#### GREEK INDEPENDENCE DAY

**Mr Faubert:** I rise today to bring to the attention of the House a very special day for our Greek community. On 25 March, Greek peoples around the world celebrate the 169th anniversary of independence from the Ottoman empire.

It was on 25 March 1821 that the distinctive blue and white of the Greek merchant marine flag was raised in the Peloponnisos as a symbol of Greek resistance. What followed was almost a decade of continuous struggle to overthrow the mantle of more than 400 years of Ottoman oppression. The courage and perseverance of the Greek forces eventually forced the Ottoman rulers to concede defeat and recognize Greece and its people as independent and free.

As the birthplace of democratic ideals, it is heartening to see other countries, both in eastern Europe and elsewhere, following the true Greek spirit of freedom and democracy.

This weekend, thousands of Metropolitan Toronto's 90,000-strong Greek community, along with Greek communities across Ontario, Canada and the world, will rekindle that spirit with their annual Independence Day festivities, in Metro the highlight being the traditional parade along Danforth Avenue. In the past, this event has featured an array of bands, floats and cultural societies and attracted many dignitaries who march with Bishop Sotirios to show their support of the Greek community.

I have myself for years joined this display of Greek pride and I can attest to the true warmth, hospitality and friendship generated by this event. In fact, it reminds me of a statement by the Greek writer Vasily Theodorakis, who wrote, "You live, you die, and in between if you are lucky, you experience Greece."

For those members who would like to experience a little bit of Greece, I urge them to turn out this weekend either at the parade or at the CN Tower's Salute to Greece.

#### CHRONIC CARE

Mr D. S. Cooke: In the 1985 election, the member for Windsor-Sandwich announced that our new chronic care hospital would start construction by the end of that calendar year. In 1986, the then Minister of Health came down to Windsor and announced that the hospital had received approval and they

could go ahead; \$11 million was raised at the local level as its share of the community hospital. In 1987, the member for Windsor-Walkerville and the member for Windsor-Sandwich ran for election on the basis that they had achieved the new chronic care hospital for the Windsor community.

In 1988, after the election, the hospital was put on hold. In 1989, the Liberals were concerned that without this hospital they were in deep political trouble in Windsor. In 1990, the Liberals are concerned about no hospital, the prospect of an election and a community protest that is going to occur when they have their convention in Windsor on the 30 March weekend.

Today I am announcing, on behalf of the government I am sure, that the government will in the next week be formally announcing phase 1 of the new chronic care hospital in Windsor. But what is phase 1 of the new chronic care hospital in Windsor? It is going to be a walkway from the existing general hospital to nowhere because the hospital has not been approved.

The people of our community will not be conned by this doubletalk from the Liberal Party.

#### **GO TRANSIT**

Mr Cousens: Imagine this scenario: You wake up at 6:30 in the morning, get dressed, have some breakfast and arrive at the GO station bracing yourself for the ride downtown. Things are going relatively smoothly; the trains are on time today. You find a seat, pull out your newspaper and settle in with the morning news. Suddenly, the person next to you pulls out his battery-operated razor and proceeds to shave. You watch with interest because you are too astonished to say anything. Finished, the man nonchalantly cleans his razor with a little brush and puts his utensils away. You are disturbed by this man's lack of manners but think that is an isolated incident.

Then you look across the aisle as a young woman is intently applying makeup to her half-asleep face. Another woman sits beside her chatting away as she polishes her toe-nails. Incredible? Not in the least. People are clipping their fingernails, flossing their teeth and cleaning their ears as they merrily make their way to work on public transit. As one of my constituents has pointed out, it is like going to work in someone's washroom.

When my constituent complained to a customer service representative with GO Transit, she was told that there was nothing she could do and that there are no guidelines prohibiting this kind of activity. Surely the Minister of Transportation could develop a public education program for passengers which reminds them of basic common courtesy.

#### ONTARIO FARM WOMEN'S NETWORK

Ms Oddie Munro: I have read with interest the latest edition of the Ontario Farm Women's—

Interjections.

The Speaker: Order. A little respect, please.

Ms Oddie Munro: I have read with interest the latest edition of the Ontario Farm Women's Network newsletter. As a member from a predominantly industrial-commercial city, you might wonder why I would be interested in issues concerning Ontario's farm women. Simply put, it is because Hamilton historically, currently and, I predict, well into the future, has been and will be interested in the rights, needs and contribution of women, either expressed through women's organizations, by

individual women or by men and children who care about women.

Formed one year ago, the OFWN is new but not unknown. Ontario's Minister of Agriculture and Food, David Ramsay, is well aware of its objectives, as, I dare say, are many of the members. In fact, the association is holding an annual meeting this weekend with the Honourable Mavis Wilson as one of the guest speakers.

So what are the objectives of this association? They are to support and strengthen the family farm and the farm family, to secure social, legal and economic equality, to foster agricultural awareness and to facilitate educational development. The special theme of the January-February newsletter is equality for women. The newsletter speaks to the challenges experienced by farm women due to the lack of accessible training, social services and child care, minimal participation.

The OFWN has a lot of solutions to their problems: contacting politicians and governments, networking and the development of a source base. I am confident that we will be hearing more from this association, and I commend the reading of the newsletter to the House.

The Speaker: That completes the allotted time for members' statements.

Hon Mr Offer: Mr Speaker, I would ask for unanimous consent for statements on the 50th anniversary of Pakistan's independence.

The Speaker: There has been a request for unanimous agreement. Is there that agreement?

Agreed to.

#### PAKISTANI NATIONAL DAY

Mrs Marland: I consider this a real privilege, to have the opportunity to stand and speak on behalf of the Progressive Conservative Party to recognize Pakistani National Day, 23 March, which will be celebrated tomorrow.

Tomorrow, 23 March, is a day of celebration for all people of Pakistani origin. It was on this day in 1956 that Pakistan became a republic. Previously, the nation had been a constitutional monarchy. March 23 is also the anniversary of a resolution by the All-India Muslim League which embodied the demand for a Muslim homeland on the Indian subcontinent. That was in 1940—50 years ago.

This resolution eventually led to the creation of Pakistan in August 1947 by the partition of Great Britain's India empire into two nations, India and Pakistan. The division was a response to the fears of Muslims that they would be persecuted under Hindu rule. Thus, Pakistan became an Islamic state, while India continued as a homeland for the Hindu people.

On behalf of the Progressive Conservative Party of Ontario, I would like to welcome the consul general of Pakistan, Tariq Altaf, who is visiting in the Legislature today.

I had the privilege a few moments ago of meeting the consul general. Obviously this fine gentleman who brings with him a special warmth and grace is very well appointed to the responsibility that he holds, and we offer our best wishes to the large Muslim community in this province of Ontario, which is now numbering more than 30,000 people, as it celebrates Pakistani National Day tomorrow.

#### 1350

Mr Velshi: I too wish to add my congratulations to all those of Pakistani background in Canada on this day of celebration and I wish to recognize once again in the members' gallery my very good friend Tariq Altaf, consul general of Pakistan in Toronto.

Today we recognize what tomorrow will be, the 50th anniversary of the Pakistan Resolution, being the charter which led to the creation of the Muslim nation on the south Asian subcontinent. This celebration is particularly significant for me, as I am not only the only Muslim elected to office in Ontario, but my family is originally from that subcontinent. Indeed, had my forefathers not left the Indian subcontinent at the turn of the century to reside in South Africa, I might very well be addressing this House today not as a South African Canadian but as a Pakistani Canadian.

In either case, I am proud to note the outstanding contribution of the Prime Minister of this land, Madam Benazir Bhutto. Her dynamism and the democratic drive she represents is an example to all who cherish freedom. Of course, her recent election, along with the Prime Minister, Mr Mulroney, as co-chair of the United Nations world leaders summit on children's issues such as slavery and mass starvation, to be held this 29 and 30 September, is indicative of our two nations' great interest in aid to those who need it most.

On this day of recognition and celebration I want to mention one other important point about this great, democratic Commonwealth partner and that is the outstanding generosity displayed by the people and the government of Pakistan to three million Afghani refugees, being the largest single group of refugees in the world today. So many have been helped with the spirit of giving shown by the people of northern Pakistan, and I applaud this spirit.

I will close by once again saluting my friend Mr Altaf and all the people of Pakistan on this special occasion. I know all members will want to join me in wishing that this great nation prospers and develops even more over the next 50 years.

Before completing, I would also like to recognize some students in the gallery upstairs behind me. They are from the English-as-a-second-language class in the Georges Vanier Secondary School in the Oriole riding. They are people from that part of the world also, and I am sure they will appreciate what we are doing for them today.

Mr B. Rae: First of all, I want to join with other members in welcoming the consul general, Mr Altaf, to this assembly and to say on behalf of our party that if members would reflect for a moment, I am sure they would agree with me that it was the independence movements in India and Pakistan in the middle of this century which can fairly be said to have really transformed the world.

Indeed, they were the precursors of the modern world in the historic movement of decolonization and the establishment of sovereign states in much of the world, which prior to that time had been painted in the red or the blue or the green of various 19th century and 18th century empires. This was a historic change and one which took enormous courage and enormous foresight and dedication on the part of the leadership of the communities in Pakistan, as we now call it, and in India, transforming that subcontinent and also the world.

It is worth recalling that Mr Altaf's predecessors, if I may say that, who were active in the nationalist movements in those countries faced imprisonment from the British Raj. They faced political persecution. They were prevented from assembling in a peaceful manner. They were in many cases treated badly and roughly by the authorities. Their lives were threatened and, indeed, many lives were lost in the battle for independence.

It took great courage, and we pay tribute to that courage as we do to the courage of the people of Pakistan in recent years, when they have made such an enormous contribution to the world; not only to their own continent, but indeed to the rest of the world.

It is perhaps an appropriate moment as well, on the 50th anniversary of the declaration of the Muslim League and the Pakistan Resolution in 1940, for us to pay tribute to the new Prime Minister, to the enormous contribution which she is making in peacemaking, the contribution which she is making to her own country. We pay tribute to her as democracy once again has been re-established in Pakistan.

Finally, of course, we celebrate the fact that many Pakistanis have come to Canada and have made it their home. Perhaps this is an appropriate occasion for us to remember that it was just yesterday that I, together with the Premier and the leader of the Conservative Party, indeed all the members of the House were presented with a pin from B'Nai Brith asking us to celebrate the fact that in our diversity in Canada, there is unity.

Perhaps it might seem odd that I should mention the B'Nai Brith in the same breath or paragraph as I am talking about the independence of Pakistan, but I do not think it is, because that shows the enormous diversity that there is in Canada and also the unity that we have in making sure that everyone in Canada is treated fairly, is made to feel at home here, and that we share a sense of solidarity, brotherhood and sisterhood, with all the people of the world who have made Canada their home.

#### STATEMENT BY THE MINISTRY

#### DRUG ABUSE

Hon Mr Black: I would like to inform members that earlier today I announced details of a treatment initiative which will broaden the base of existing drug abuse treatment programs and will permit thorough and rigorous evaluation of the funded programs.

Today we are moving forward on several new initiatives that will allow us to provide more treatment to young people at risk as well as gather much-needed information about the effectiveness of current treatment models. Today I have allocated \$1.6 million to enhance 11 innovative treatment programs in Ontario and a further \$400,000 for extensive program evaluation. This funding is in addition to over \$50 million the province currently spends each year on treatment programs.

As members of this House will recall, in November of last year the government introduced an innovative, communitybased strategy to reduce the illegal use of drugs in Ontario. The strategy provides the blueprint we must follow if we are to keep our communities healthy and safe.

The drug strategy is based on the premise that in order to reduce the incidence and impact of illegal drug use, we must concentrate our efforts on reducing the demand for drugs and we must utilize all of the tools available to us. This includes prevention and education, enforcement and treatment activities as outlined in the Report of the Task Force on Illegal Drug Use in Ontario.

The additional funding announced today will be used to expand programs with particular emphasis on improved access for youth up to 25 years of age and to evaluate the programs to increase our knowledge of effective treatment methods. Evaluation of programming is a key component of this initiative to help us find the most effective ways of allocating our treatment resources.

In addition to providing funding for these 11 programs, we are also looking ahead. We need to know which treatment programs offer the most promise. While there is agreement about the need for more treatment programs, there is little con-

sensus about what and where these should be. We want to help provide some of the answers to these questions.

That is why I am pleased to announce the appointment of an advisory committee of individuals from across the province with expertise in drug treatment. The Treatment Advisory Committee will review and assess promising drug treatment models from across the province, recommend priorities in drug treatment service and recommend strategies for more effective and efficient use of existing resources. The committee will also be asked to identify future research needs.

I am pleased to introduce the chairman of the committee, Garth Martin, who is with us today. Mr Martin is head of the sociobehavioural treatment services for the Addiction Research Foundation. In addition, two other members of his committee have taken the time to attend, and I would like to ask Linda Bell, the president of Bellwood Health Services, and Dr Don Pierson to rise as well. All other members of the committee are equally well qualified and represent a cross-section of expertise. The advisory committee is expected to report this fall.

We are confident these initiatives will greatly enhance current programs in our efforts to reduce the illegal use of drugs in Ontario and will help ensure effective and innovative treatment programs in the future.

1400

#### **RESPONSES**

#### DRUG ABUSE

Mr Reville: When we had the last series of announcements by the Minister of Tourism and Recreation, who is the minister responsible for the provincial anti-drug strategy, I was sharply critical of his announcement because it did not touch on the matter of treatment. I suppose now I have to be congratulatory because he has touched on the matter of treatment, but members know me better than that.

Basically what has happened today is that the minister has announced a little study, a little committee and a 3.2 per cent increase in the amount of money spent on drug and alcohol treatment programs in this province. We know and the minister knows that 3.2 per cent is not going to do the job.

While clearly the advisory committee is expert in its field our experience, particularly with this government, is that it is very quick to set up advisory committees and not very quick to listen to what advisory committees have to say. In the drug field, I can only think back to, not very long ago, the Minister of Health's absolutely tone-deaf ear to the recommendations of the Drug Quality and Therapeutics Committee, which of course is responsible for advising the government on the legal drug trade, not the illegal drug trade.

The government is right when it says that we have to deal with "prevention and education, enforcement and treatment.' Many of the programs in the prevention and education side are now being put together. Some of them are goofy in the extreme.

The government knows or should know that the best prevention program ever devised anywhere in the world is the real prospect of a future for people who might contemplate using drugs or who are currently using drugs. Examples are brought forward in this House, day after day, about layoffs and shutdowns that the government says it cannot do anything about, about food banks that the government says it cannot do anything about but that it might get around to doing something about in the future, about homelessness and underhousing and poor housing, which the government has abandoned. It makes

you wonder why the government has a minister responsible for drugs at all.

The problem clearly is that if tomorrow is going to be just like yesterday, you might as well get blasted today. That is the problem we are facing all over the province. Not many feet away from this place, I could take the minister to stairwells where young women are selling their bodies on one step so that they can buy some drugs two steps up. The minister knows that this little mess of pottage is doing nothing about it.

Mr Farnan: I would just like to add a side remark to the comments of my colleague. The minister is not just the minister for drugs; he is also, in my view, the minister for gambling. We are talking about addictions. This is something I have spoken in the House about and I do not want the minister to forget this.

As the government introduces one lottery after another, families are being destroyed by gambling addictions. There is not one gambling rehabilitation clinic in the province of Ontario, and this is criminal. There is not one gambling rehabilitation clinic in all of Canada.

I would ask the minister, as the minister responsible for lotteries in Ontario, to seriously look at this. He is using this fund-raising technique not just for the traditional groups, sports and culture; the government is adding hospitals, and indeed I believe it has plans to look beyond that, at the environment.

As the government promotes lotteries aggressively, as it markets lotteries aggressively, it should remember that there is a portion of society whose lives are being destroyed. The government is part of the problem in this respect and not part of the solution. In other jurisdictions, a percentage of lottery profits is used for gambling rehabilitation. I encourage the minister to do the same in Ontario.

Mr Sterling: In general, we welcome the announcement of the minister regarding these programs. We also think that probably it is a better expenditure of funds to support existing programs and existing treatment facilities than it is to try to go out and create brand-new ones that do not have the experience of the many it is supporting today. We are supportive of that kind of a measure.

I would add some caution in terms of the commitment: It seems relatively small with regard to a very large problem. We only take this commitment as being a step in a series of many, many steps that I hope the minister will take in the future.

With regard to the advisory committee, I would only say, as the chairman of the standing committee on government agencies of this Legislature, that last month we looked at a particular advisory committee of another minister of the crown. In that case, there were 39 various advisory committees called provincial advisory committees. Of those 39 committees, in the last year, I believe, there were two meetings. There were no minutes kept. There were no advisory documents to the minister, etc.

I would say to the members who are part of this advisory committee: Make certain that they meet often, make certain that their reports get to the minister and make certain that their reports get to the public in general in order for them to be providing a useful purpose to keep this process in motion. Other than that, in general we support these initiatives.

#### **ORAL QUESTIONS**

#### TIRE DUMPS

Mrs Grier: My question is for the Minister of the Environment. We all know that after the crisis in Hagersville the ministry scrambled and that last week the minister released a list of 49 waste tire sites across the province of Ontario. Since then,

we have been trying to get some more information from his ministry about the specific details of those various tire sites, and that has been difficult.

However, it is obvious that 11 of those 49 sites are landfills. So if we are charitable and assume that those 11 sites have certificates of approval, can the minister tell us: Of the other 38 waste tire sites across the province, how many have been issued with certificates of approval by his ministry?

Hon Mr Bradley: We are in the process at the present time, between the Solicitor General's department and the Ministry of the Environment—as the member knows, these sites have been visited—of issuing certificates of approval to all of them. The inspections have taken place on those sites which the member has made reference to, that is, both by the Ministry of the Solicitor General and by the Ministry of the Environment. People have gone to each one of them that has been in process for some period of time, and it is the levels she was given the information on, the over 5,000.

**Mrs Grier:** That is really very strange. One of the sites, for example, has 800,000 tires, another has 500,000, many of them have 200,000, 75,000. They did not all grow just since the fire at Hagersville. Presumably some of those dumps were there and some of those tires were dumped there prior to the fire at Hagersville.

Is the minister telling this House that none of them in the list he released had been inspected prior to 13 March and 14 March? Is he telling this House that not a single one of those 38 sites is operating legally, that there are, in this province, 38 illegal waste disposal sites he has only just discovered? Is that what he is saying?

#### 1410

Hon Mr Bradley: From time to time, officials of the Ministry of the Solicitor General and officials of the Ministry of the Environment have visited a number of these sites over a period of time and have evaluated them to determine whether they are in compliance or acceptable. As the member would know, these visitations are very useful in that they can advise the people as to—

Mr Reville: Visitations.

Hon Mr Bradley: I will not mention Robin Sears.

**Hon Mr Scott:** You won't mention Robin Sears. Tell us about Robin. Have you heard from him?

**The Speaker:** The response to the question?

Hon Mr Bradley: I think Robin would agree with me.

Anyway, we have had our officials visit each of these sites from time to time to evaluate them and to make recommendations to people on how they should best store them. We are talking about the significant sites that the member is mentioning, for instance, and we will make sure that all of them are in compliance. Of course, with the legislation that we will be bringing in, it will clarify our right to move in at any particular time.

Mrs Grier: It is obvious from that answer (a) that none of these sites have certificates of approval, (b) that they are all illegal, (c) that no charges have been laid against any of these sites. I find that absolutely appalling. I would like to ask the minister if, given the kind of record his ministry has shown—taking five years to try to do something about Hagersville and then deciding it could not do anything, and two years involved

with the Musitano dump outside Mount Hope and nothing has happened—that is the kind of record we may expect on 38 other sites.

Let me be very specific. Today, I plan to introduce into this House amendments to the legislation to try to help the minister do his job, because the legislation I am going to introduce—

The Chair: The question would be?

Mrs Grier: —would give the general public the right to initiate and participate in hearings before the Environmental Appeal Board. Will the minister support that kind of legislation? If he is not going to do the job, will he give the citizens some environmental rights in this province?

Hon Mr Bradley: As the member would most certainly be aware, no doubt, people have the right to appear before the appeal board at the present time. In fact in that particular circumstance she mentions with Hagersville, they did appear before the appeal board. I think the member would know that with the inspections that have taken place, charges have already been laid against some companies that are not in compliance with the legislation.

Mrs Grier: You've been busy since 13 March.

Hon Mr Bradley: This has been ongoing not since 13 March, but before that, I tell the member. There have been charges laid, for instance, in the Port Colborne area at a site in that area as well.

[Later]

Mrs Grier: I am afraid I have to correct the record with respect to my first question to the Minister of the Environment earlier today. There are 60 waste tire sites on the ministry's inventory; 11 of them are landfills. That means that there are 49 which should have certificates for approval. I used the figure 38. I am afraid my mathematics were faulty and I apologize.

#### OCCUPATIONAL HEALTH AND SAFETY

Mr B. Rae: I have a question to the Minister of Labour. I am sure the minister is aware of the tragic circumstances surrounding the death of Goyko Toljagic, who was a caretaker for over 20 years at North Toronto Collegiate Institute in Toronto. I would like to ask the minister this question: Can he explain how Mr Toljagic would have been exposed to asbestos to the point where he died of mesothelioma, and can he explain why it is that, so far as I am aware, his ministry has not prosecuted any school or any school board for breach of the asbestos regulations under the Occupational Health and Safety Act?

Hon Mr Phillips: It is an important subject and I appreciate the opportunity to bring the House up to date on the issue of asbestos. As the Leader of the Opposition pointed out, there are some very firm regulations that were developed as a result of a royal commission on asbestos. These regulations are regulations that school boards are required to implement in order to manage asbestos within the schools.

Just for the information of the House, we have asked each school board to give us a report on its program of how it is ensuring that those regulations are implemented. We have asked the Metropolitan Toronto school boards in particular—I think there are eight of them in total—for their program on how they are ensuring that those regulations are implemented. Those reports were presented to us in early March. We have reviewed those reports and we now are meeting with each of the school boards to ensure that those regulations are indeed implemented.

The answer to the question is that we have firm regulations. School boards are required to abide by those regulations. We have asked each of the school boards to give us its program on how it is abiding by those regulations and we are reviewing them.

**Mr B. Rae:** The Toljagic family is in the gallery. Goyko Toljagic's son Mark and his widow are here.

I would like to ask the minister to answer this simple question. He himself has pointed to the regulations that are set out under the act. The act clearly states that every person, and that includes a school or a school board, who contravenes or fails to comply with a provision of this act or the regulations is guilty of an offence and is chargeable under the act.

There is clear—indeed there is overwhelming—evidence that a great many schools have not complied with this regulation and have not been in compliance with this regulation for an extended time. That is why Goyko Toljagic died. It must be the only explanation as to why he died. I want to ask the minister why his ministry has not been enforcing the act. Why has he not enforced the act?

Hon Mr Phillips: Again I go back to what I said earlier, and that is that we do in fact enforce the act. We have the regulations. We require school boards to abide by those regulations. Where they are seen not to be abiding by them, we will issue orders.

There is a school, I guess Our Lady of Victory school, where there is some asbestos. In that particular case we found that the asbestos was well managed. There were a couple of minor things that required action. We required the school board to act on that and it did.

Where we find a violation of the act, we will issue orders. If we find a serious breach of the act, we will prosecute. In this particular case with the school boards, as I say, we have asked for their programs on how they are managing to implement the regulations. They have provided those programs. We are reviewing those programs and we are ensuring that in fact the school boards in this province are implementing the regulations.

Mr B. Rae: Mr Toljagic's family has been denied compensation by the Workers' Compensation Board because it says it does not have any evidence that he was working with asbestos or that asbestos exposure was the problem, which is a literally unbelievable response given all the money the government has thrown at this question in studying it. We know that mesothelioma is overwhelmingly caused by exposure to asbestos. We know there was asbestos in that school. We also know there is friable material in literally dozens of schools around the province.

I want to ask the minister to read out himself and to read again the wording of section 37, which states very clearly that where there is an offence committed, "ort conviction is liable to a fine of not more than \$25,000 or to imprisonment for a term of not more than 12 months, or to both."

I want to know why it is that when a citizen is parked in an illegal parking space he gets charged and he gets fined, but when a school board leaves its workers and its students open to exposure to friable material called asbestos, which we know can cause death and we can demonstrate can cause death, why is it that those people are not charged? Why is it that does not happen? Tell me that.

Hon Mr Phillips: As I said before, we have the regulations. We ensure that school boards comply with them. Where they are not complying we will issue orders. Where there is an example where they have specifically decided not to comply with them, we will lay charges. In terms of the specific case the Leader of the Opposition has raised, as I said before, where there is a violation of the regulation we will issue orders or we will issue charges.

We are reviewing the programs of each of the school boards across the province to ensure that they are living by the regulations. Where we are asked, we will go in and inspect schools. We will issue orders in those cases.

I just want to assure the House, first, that there are clear regulations around asbestos and that we have asked each school board in this province to ensure that it has a program for implementing those regulations. We are reviewing with each of those school boards across the province its compliance with those regulations and that will be an ongoing program.

#### **VISITORS**

The Speaker: Just before I recognize the next questioner I would like to ask all members of the assembly to join me in recognizing in the Speaker's gallery a parliamentary delegation from Indonesia. There are 11 members in the delegation and the leader of the delegation is Mr Sukardi, the vice-chairman of the House of Representatives. We are fortunate to also have the consul of Indonesia in Toronto, Mr Isnaedi, here with us today. Please join me in welcoming them.

1420

#### **ENVIRONMENTAL ASSESSMENT**

Mr Brandt: My question is to the Minister of the Environment. In a speech delivered at one o'clock today—through the wonders of technology it appeared at 1:30 in today's edition of the Toronto Star—the Premier was musing, as he is wont to do, about the projected growth that will take place in and around the greater Toronto area. Some of his projections included estimates of a population growth of some 1.5 million people over the course of the next 20 years. As the minister I know is well aware, part of that growth is proposed to be located in the new town of Seaton.

With that growth—I will get to my question very quickly—obviously will come the need for transportation corridors, additional housing, dump sites, a whole host of urban services that are going to be necessary to accommodate not only the 1.5 million additional people but the portion of that which will be situated in and around the area of Pickering. The Premier is talking about a committee to review this entire matter. Does this mean and are we to interpret his remarks to say to us that this is going to bypass the environmental assessment process entirely?

Hon Mr Bradley: I am afraid I am wondering what the member is talking about in this specific case, because naturally all of the environmental implications of any development that takes place in the province of Ontario are looked at by the Ministry of the Environment which is a commenting agency. As the member would know, within the Planning Act of the province of Ontario, plans of subdivision or plans for specific developments are circulated to each of the ministries of the government and each of the ministries has an opportunity—Natural Resources, for instance, Environment, as another—virtually any ministry has an opportunity to comment on any or all of the components of those developments. Certainly among those commenting agencies will be the Ministry of the Environment.

Mr Brandt: That is an excellent answer. It is not the answer to the question I asked, but it is an excellent answer. I

will ask that question some day; the minister can keep that answer handy in case I ever do ask that question. My question had to do with the environmental assessment process. In the Premier's speech he indicated that growth in the greater Toronto area must be accommodated in a way that preserves and enhances the natural environment. I am talking about land that is primarily owned by this government, purchased by a former government, land that is in a very sensitive area of the Metropolitan Toronto area. It is a simple question and I know it is one to which the minister is anxious to respond, as always. Does the minister intend to subject the development in Seaton to an environmental assessment process?

Hon Mr Bradley: That would be a total departure from what the member of the opposite party would ever have contemplated when he was in government, or ever did in government, and I would say that it would be a totally new departure to say that subdivisions, for instance, and community developments at large are subjected to the Environmental Assessment Act. Some of the components may from time to time be designated for specific purposes, but that would be something entirely new in the province of Ontario.

I do want to assure the member, as I hope I have already, that in fact there will be an opportunity for input from people into the process. The planning process of course incorporates that. So not only through the planning process, where you have public comments that are allowed, through the Ontario Municipal Board and so on, but also through the various ministries making comments, the member can be assured that all the concerns he now has about this specific area would in fact be addressed by the various government departments and by the input from the public.

Mr Brandt: The minister is aware that this land is for the greater part owned at the present time by the province of Ontario. He is also aware of the fact that much of the land we are talking about is sensitive, greenbelt park land, natural wilderness. I want to separate if I might the fact from the rhetoric and I want to see what this government is prepared to do with respect to the preservation of the items talked about in the Premier's speech.

Reading from the Premier's speech, he says on page 11—again, I received this speech through the wonders of technology and it was made available to me just after it was delivered—"We must maintain and improve the quality of our air and water, create a large-scale system of parks and green spaces, protect our river valleys, headwaters and wetlands and prevent the unnecessary loss of farm land."

Exactly what would happen with the proposed development is that much of what the Premier is talking about protecting, of course, would be lost. I am asking what the minister plans on doing about a proposed development on the magnitude and scale that have been suggested to his government and which has been publicly commented on already by the developers. Will the minister require an environmental assessment or is he simply going to treat this as another development?

Hon Mr Bradley: I guess that would be like saying you are going to put a new Brantford under the Environmental Assessment Act, and you would not have the town of Brantford, you would not have the town of Sarnia or you would not have the town of Carleton or something of that nature. I really do not see the point the member is getting at. The member knows the kind of commenting that goes on within government. He knows the steps that are taken under the Planning Act, which allows for full input from each of the ministries.

When there is a concern—the member, I know, would be familiar with this—about runoff and drainage areas, for instance, which would affect wetlands, the Ministry of Natural Resources makes its comments on those, on ways in which damage can be eliminated or limited in those cases. The Ministry of the Environment looks at all environmental aspects of it and makes comments. Then of course there is an Ontario Municipal Board hearing where all these are put forward. Including any of the subjects the member has talked about, I am sure there will be a very thorough review of this by all government agencies and there will be input from the public.

#### **ROUGE VALLEY**

Mrs Marland: My question is also to the Minister of the Environment, and it is also on the Premier's speech this afternoon. The part I want to refer the minister to is where the Premier says, "I will soon be making an announcement concerning the government's plans in regard to the Rouge Valley." The minister knows that the thousands of people who have been working on and are committed to preserving the Rouge Valley table lands and that entire area are very concerned about what this announcement is going to say, and whether it will protect the Rouge Valley lands and the table land area from the east Metropolitan Toronto transportation corridor, from the Metro dump and from luxury estate housing.

Although we interpret this announcement by the Premier as referring only to the Rouge Valley, can the minister assure this House that in fact that reference does mean the Rouge Valley and table lands and the surrounding area that has already been identified?

Hon Mr Bradley: I am not aware of the contents of the speech. I did not have the same access, or did not have the speech provided to me, that the Leader of the Opposition or the member for Mississauga South had, but I am sure the Premier will make known all the details whenever he makes any specific announcement that he is going to make, and that he would elaborate on all aspects of his announcement as it relates to any of the components of those announcements which are made whenever it says the announcement is going to made.

Mrs Marland: It is pretty amazing that the Minister of the Environment does not know what the Premier is saying about the Rouge Valley. I would like to remind the Minister of the Environment of his statement, since he is not aware of what the Premier is saying about the Rouge Valley. His statement last year was, "The Premier of this province, the Minister of Natural Resources, the Minister of the Environment, the Minister of Government Services and certainly the members for Scarborough and others have recognized publicly the value of the Rouge area, particularly the Rouge Valley but the Rouge area as a whole, and have been clear that it is the intention of this government to retain that area as a green area in this part of the province."

Does the minister see the fulfilment of what he made in that statement last year being possible and making the commitment that there will not be a dump site, a transportation corridor or luxury estate housing?

1430

Hon Mr Bradley: I would not want to pre-empt the Premier on any specific announcement that he might be making, because he would be making that announcement at an appropriate time and I am sure the member will be very interested in all of the components of the announcement the Premier

will make. I am sure she will see that it reflects a good deal of discussion which has taken place over a period of time: consultation with the people in the area, consultation with a wide variety of people within the government and so on. I would say that the member will likely be—of course, I could not, because the Attorney General says that no matter what is announced, she will not be pleased with it.

Hon Mr Scott: She never has been.

**Hon Mr Bradley:** I am more optimistic than the Attorney General is and I think she might find whatever announcement is made to be to her liking.

Mrs Marland: I would not want to encourage the Minister of the Environment to pre-empt the Premier either, but I would expect him to be able to know exactly what is going on with this most critical issue.

My concern is that if we do not preserve the 10,712 acres that have been requested to be designated as a provincial park—and, incidentally, every party in this House supported my resolution that this area be designated as a provincial park—then the minister will be going back and betraying his own support of my resolution.

The Premier himself said on 20 October 1988, a year and a half ago: "It is the government's intention and always has been to preserve the Rouge. There is no question about that. There never has been." Does the Minister of the Environment support the statement—

The Speaker: Thank you. Do you wish to answer the question again?

Hon Mr Bradley: If the question is, do I support the statements of the Premier of this province, I most certainly do support the statements of the Premier of this province.

I must say to the member that I was very pleased to see her come on side with many of the comments that have been made over here. I was pleased to see the support which she indicated for what the Premier has been saying for several months now about the area she is speaking about. When I see that happening, I say it is the kind of unanimous consent that I see, the kind of opposition of positive comments about government policy that there is not enough of in this House. I want to commend the member for taking the opportunity to support the government in the positions which it has adopted over the years.

Most assuredly I will be agreeing with what the Premier has to say—

The Speaker: Thank you.

### **EMPLOYMENT EQUITY**

Mr B. Rae: In view of the absence of the Premier and the absence of the Minister of Citizenship, I will have to ask a question of the Deputy Premier.

I would like to ask the Deputy Premier a question abou employment equity. Can the Deputy Premier tell us whether or not the government is planning to introduce legislation this session to deal with the systemic discrimination, the real discrimination which exists again women, visible minorities native people and people with disabilities, both in the public and private sectors? Is it the government's plan to address this problem with legislation in this session?

Hon R. F. Nixon: Now that the community is responding so positively and favourably to the concept of pay equity, i would be reasonable to assume that the government is giving consideration to the matters that the honourable membe

referred to, but I cannot give him the assurances that he asks for.

Mr B. Rae: No doubt the Treasurer, casting his mind back just a short way—mind you, a mere pico of time in comparison with his parliamentary history, but going back to 1985—will recall that the Liberal Party is on record, indeed his leader and I even signed a document which indicated that there was a commitment from the government to employment equity. There are several witnesses to the signatures, too, I might add.

I want to ask the Treasurer why it would be that it has taken this government nearly five years to live up to an agreement that it made at that time, and why it is that we still do not have any legislation which deals with the amount of discrimination that exists. There are levels of unemployment among disabled people which are a disgrace for Ontario and for Canada. There are hundreds of thousands of people with disabilities who are living on fixed incomes, who do not have access to the labour market and who will only get access to the labour market with a serious employment equity program.

I want to ask the Deputy Premier why he is not in a position to make the kind of commitment that we have asked for.

Hon R. F. Nixon: I recall very well the discussions with the honourable member's colleagues at the time the government was formed. Unfortunately he was not able to join us at that time and that may be why they were so spectacularly successful, from our point of view. The honourable member also points out that there are still a few problems in the social fabric of the community that are not totally corrected, even after almost five years of the Liberal administration. I could just tell him that we continue to apply our thoughts and our abilities towards those solutions.

The honourable member refers to a commitment made in that document or any other, and he would know it is our record that the head of the government, the government itself and our party keep their commitments.

#### CHILD ABUSE

Mrs Cunningham: My question is for the Minister of Community and Social Services. I am sure the minister is aware of the child abuse tragedy in the town of Prescott, Ontario, where there were 32 charges laid against four adults and two young offenders and 42 children were the victims, we think, of child abuse. Could the minister tell us when these allegations came to the attention of the Leeds-Grenville family and children's services agency?

Hon Mr Beer: I can say to my honourable friend that these charges were made known to the Leeds-Grenville Children's Aid Society in the early fall of 1989. At that time they acted promptly in removing the children who were at risk, in launching an investigation and in bringing the police into that investigation. Subsequently, we provided some \$200,000 to the Leeds-Grenville Children's Aid Society to assist it in carrying out the investigation.

Mrs Cunningham: Certainly the community of Prescott has not been reassured that we did in fact respond as promptly as we could, and there are suggestions that some of these cases were known to the police and the children's aid society for a couple of years. The minister and I are not sure of that, but somehow, when we have some 42 children involved over a very short period period of time, something has gone wrong. Our position would be that there needs to be a review of the

guidelines of the policies of the government that are meant to protect children in child abuse situations.

Is the minister prepared at this time to do a thorough review of the standards and guidelines for the management of child abuse cases in public and to make those results public so that the citizens of Prescott and parents across the province of Ontario can be assured that we have the absolute best policies in place to protect our children from child abuse?

Hon Mr Beer: As the honourable member is perhaps aware, at the present time there is a police investigation, charges have been laid and the investigation is ongoing. At the conclusion of that investigation, we will carry out, as we do in incidents of this kind, our own review of procedures. I think we are always anxious to ensure that the policies and procedures that we have in dealing with all cases of abuse are appropriate and effective. Upon the completion of that review, if a broader review is called for, we will certainly take that action.

I want to reiterate that in my view, after looking at this situation, I believe the children's aid society and the police, both the local police and the OPP, have acted in a prompt and responsible manner and that the appropriate investigation is now being carried out. When that is completed, I agree completely that we always want to make sure that our ability to deal with these kinds of situations is as solid and effective as it can be, and if changes need to be made, we will make them.

1440

#### VIOLENCE AGAINST WOMEN

Mrs O'Neill: My question too is on family violence. It is to the Minister without Portfolio responsible for women's issues. A study that was recently presented on violence against women at an international urban crime conference in Montreal produced statistics showing that fear of physical and sexual violence has become a part of daily life for women in cities across this country.

What is our government, the government of Ontario, doing to address this serious concern?

Hon Mrs Wilson: In January I announced new funding of \$28.8 million, new money for a government-wide initiative to address the issue of sexual assault of women. The strategy reflects the government's commitment to reducing violence against women and expanding our efforts to do so.

Currently, one in four women in Ontario is sexually assaulted, often by someone she knows. Through this new initiative we are taking the first steps in a long-term strategy to raise awareness about sexual assault. We want to stabilize funding of the sexual assault centres, provide emergency care for sexual assault victims, increase resources for the justice system and provide prevention and education initiatives in communities across the province.

Mrs O'Neill: The Rape Crisis Centre and the Sexual Assault Support Centre in Ottawa serve the women in my constituency. What impact does the minister feel this funding will have on those two centres in our area?

Hon Mrs Wilson: The new initiative is very much victimoriented. In fact, \$24 million will go directly to providing services for victims of sexual assault. Through funds made available by the Solicitor General, rape crisis centres across the province will have their funding increased from \$600,000 annually to \$1.8 million annually.

In addition, both of the centres in the member's area have applied for money through the Ontario women's directorate sexual assault public education grants fund, and I am happy to announce that both of those centres will receive funds for public education initiatives which will raise awareness about sexual assault and the myths and actual facts about sexual assault to educate the people in the member's community.

#### **AMBULANCE SERVICES**

Mr Mackenzie: I have a question for the Minister of Health. On Tuesday, 20 March, the Ontario Public Service Labour Relations Tribunal ruled that the Owen Sound emergency service ambulance officers were crown employees and the Ministry of Health was the real employer. The tribunal ordered an immediate end to the four-month strike because it was contrary to the Crown Employees Collective Bargaining Act.

Why has the minister defied her own government's legislation by allowing the locking out of these crown employees Wednesday morning and refusing to implement the tribunal's decision?

Hon Mrs Caplan: As the member opposite knows, the government has just received the latest decision of the tribunal and will be reviewing it as expeditiously as possible. The Human Resources Secretariat negotiates with the Ontario Public Service Employees Union on behalf of government employees, but we are reviewing that recent decision.

Mr Mackenzie: I would remind the minister that they are locked out. The minister refused to implement the McKechnie Ambulance Service award for the Collingwood ambulance employees and now this award is up in the air. The minister is facing 21 more sets of negotiations with government-funded private ambulance workers. The minister appears to be trying to provoke a province-wide confrontation by not respecting her own laws on the issue of fairness and justice.

Will the minister give this House a commitment that she will abide by the decision of the tribunal and assure these vital health service workers that negotiations and, if necessary, arbitration as called for in the Crown Employees Collective Bargaining Act will be her approach rather than forcing the workers into confrontation and strikes?

Hon Mrs Caplan: The ministry understands that in fact the Attorney General's office is making an application for a judicial review of both of these decisions, the McKechnie one as well. It has been decided, in fact, to await the outcome of those reviews.

Mr Mackenzie: You deliberately betrayed every one of those workers. You are in some real trouble now.

The Speaker: The member for Hamilton East has completed his questioning.

#### **VOTING IRREGULARITIES**

Mr McLean: My question is directed to the Solicitor General and it concerns an alleged proxy voting violation in Tiny township during the fall of 1988 municipal elections. I know that other members of ridings in Simcoe county have also been contacted by their constituents about the outcome of the OPP investigation. That indicates there is a great interest in this whole affair.

The Solicitor General will no doubt recall that I spoke to his predecessor. I wrote him a letter in August; he replied in September and said he would have a reply in October. To this date, I do not have the final outcome. Could the minister relate to us today the status of this report?

Hon Mr Offer: In response to the question, I can respond that that particular investigation is one which is currently ongoing. There has been no final decision made on that but it is under active investigation.

Mr McLean: I find that a very unacceptable type of answer: an ongoing investigation. How long can an investigation continue to go on? The minister said he would have word back last October. My understanding is that there are some very high profile people involved in this.

It has also been suggested that the original ballot boxes are still locked in the township vault and have never been examined as part of the OPP investigation. I would suggest that the minister come clean with an answer very quickly on this whole investigation or there could be some problems. What is he going to do about it?

Hon Mr Offer: I must say I find it incredible that a member would ask anyone to stop an ongoing investigation until it has been conclusively and exhaustively investigated. That is the obligation and responsibility of police forces, not only the OPP but also municipal and regional police. We are continuing that investigation. I can assure the member that investigation will be done, as all investigations are done, in the most exhaustive manner possible and not until it is completed will it be in any way shortcircuited.

#### GENERAL MOTORS VAN PLANT

Mr Faubert: My question is to the Minister of Industry, Trade and Technology regarding the possible closing of the General Motors van plant in Scarborough. Concern for the potential loss of jobs for the 2,700 GM workers is shared by all members of this Legislature as well as those in Scarborough. This plant is the city's largest single manufacturing enterprise and its closing would have a major effect on our local economy, not to mention the impact that would be experienced by related industries across Ontario which service and supply the GM plant operations.

I understand, however, that some good news has recently been announced regarding the matter. Could the minister provide this Legislature with an update on the status of the GM plant closing in Scarborough?

Hon Mr Kwinter: The member is right. Some time ago, General Motors announced that it would be closing the plant and the manufacturing of full-size vans at the end of the model year of 1991. On 16 March, they announced that they will be extending that closing for at least a year until the end of the 1992 model year. That is good news because it will give a committee that has been set up by GM and the Canadian Auto Workers union an opportunity to continue their study as to alternate sources of production in that plant. We are monitoring it very closely and are prepared to co-operate with them in any way we can.

Mr Faubert: My supplementary question is on a related matter, which appears to be one of the possible alternative production options being considered for the Scarborough GM plant. In Monday morning's paper, there appeared an article about an exciting new technology of electric cars, more specifically the Vehma Electric G van, or, as they are known, VEVs. These vans are drive by 36-volt batteries and production is expected to start in July. While there are limitations to this technology, such as the need to recharge the vehicles after a limited amount of travel, the environmental efficiencies and lower maintenance costs will be difficult to ignore.

Can the minister advise the House if the electric van technology is a possible product for the Scarborough GM van plant or other Ontario assembly plants?

1450

Hon Mr Kwinter: The committee that I just referred to, that of GM and the United Auto Workers, is looking at possible alternative production for that plant. Whether that includes electrically motored vans I do not know, but certainly there are some interesting developments in that area. Vehma, which is a division of Magna, has recently received a 10,000-vehicle contract in the city of Los Angeles to produce an electric-powered vehicle, and that of course is something that is very exciting. The technology is being produced in a company called Powerplex, which is half owned by Magna. It has had funds provided to it by the Ministry of Energy, I think to the tune of about \$300,000.

There are other developments taking place, and they are not just related to new electric-powered vehicles. We are looking at alternative vehicles, with propane and other flexible-use fuels and power sources. We will be watching it very closely. We will be providing support in any way that we can. We hope this will, in some way, resolve some of the problems in that area.

#### TIRE DUMPS

Mrs Grier: My question is to the Minister of the Environment. We have just been advised that at this very moment volunteer firefighters in the Woodstock area have been called out to fight a small tire fire in a quarry owned by the Beach-vilime company. It is not a very large fire. There is more smoke than flames and there are not very many tires there. But I think it is an example, yet again, of the fact that the problem of waste tires exists in piles, large and small, right across the province.

We found, in our questioning of the ministry in the last week, that there is no central registry within the Ministry of the Environment of waste tire sites. Can the minister give us any assurance that the administrative procedures of his ministry will be improved and that, having suffered from the experience of Hagersville, he will begin to get a handle on where tires are dumped, how many are dumped and whether they are being dumped illegally in those locations?

Hon Mr Bradley: I can tell the member that is precisely what is happening. I understand the situation she was talking about. A scrap fire was taking place down there, and within that were 75 or 80 tires, or something like that. It is right on company property. They are tires they take off their equipment and put in a corner, as well as some other scrap material. I understand the fire department is there and is putting it out at this time. She has characterized it correctly.

But in regard to her other question about characterizing the sites, we have gone across the province of Ontario to characterize all of the sites, particularly concerned, as she would know, beginning with the larger sites, which we characterize as over 100,000, and then the sites which would be over 5,000, between 5,000 and 100,000, and have developed an inventory on that and will continue to develop that inventory. We have provided, I think, an initial list of those, and any others we find around, we will also look for as well.

Mrs Grier: It is not very reassuring to be told that "any others we find around, we will look after." I agree this is a small fire, but how often have we heard this minister tell us that no pollution problem is too small that it must not be solved and that pollution spreads and knows no boundaries?

What is he going to do about incidents large and small? Is he going to place security guards, which is his answer to this inventory of tire sites, at the end of every discharge pump or pipe? Is this going to be how he does it? Or is he really going to get serious and table in this House, not only an inventory of the large sites, but of every location that is operating illegally? Would he also tell us of the charges that have been laid against those locations?

Hon Mr Bradley: There have been charges laid against several people, and I expect every time there is going to be any kind of scrap fire taking place, if there are any tires around, t will be of some interest. I do want to assure the member that I think the answer to the long-term solution—I think she would agree with this—is most certainly the recycling of those tires and the reuse of those tires, and that is why the program that has been provided allows for the handling of the tires in this province. It allows for certain things, such as high-grading them; that is, taking the best tires and retreading them.

There are a number of interesting proposals that have been forthcoming, particularly lately, I must say; a lot of interesting proposals forthcoming now on how to recycle tires in the province of Ontario and I am pretty enthusiastic about them. I think the member is knowledgeable about some of them that have happened in other jurisdictions. There have been people who have approached our ministry. The two things we would look for that I think she would want to see are, first, is it a technically viable recycling situation that they have there? Second, do the people have a good business plan to be able to put it into operation? I think the second is as important as the first.

The former Minister of the Environment, who has also been Minister of Industry, Trade and Technology, would recognize that in fact there are two components, that one of those is the environmental component and that the other is, is there a viable business plan before one would provide that kind of funding? We will make sure that both are the situation. I think even the member for Etobicoke-Lakeshore will be pleased when she sees that.

#### SCHOOL ACCOMMODATION

Mr Jackson: My question is to the Minister of Education. During the 1987 election, his government ran a full-page ad. It had the personal signature of the Premier. What it said was, "We have done what we said we would do." I remember those ads well. But when it comes to St Mary's school site in Hamilton, it appears that this promise has been broken.

In 1989, the minister's predecessor, the member for Wentworth North, promised to transfer the old Hamilton teachers college site to McMaster University to accommodate new physiotherapy and occupational health programs. Despite the commitments in February, he, as the new minister, wrote the director of the Hamilton-Wentworth Roman Catholic Separate School Board to announce his decision to extend the lease on the government site to June 1995 and advised that there is no need for the board to continue with expropriation proceedings for a new replacement site.

It seems rather ironic that the Hamilton-Wentworth separate board has a stated preference for a new school site. Can the minister explain why the Liberal government has broken its commitment to transfer this site to McMaster University?

Hon Mr Conway: I am delighted to engage my friend the member for Burlington South in a debate on these matters. I must say though I am somewhat disappointed, because I ex-

pected to be engaging him as a candidate for the leadership of his party. Talk about promises not kept. My friend from Burlington South was boasting to everyone that he would be returning this spring as a leadership candidate and he has broken his own word to his friends in the assembly, his supporters wherever, to say nothing of his admirers in the press gallery.

I want to tell members that I am very aware of the situation in Hamilton. I am very determined to work, not just with the school board but with the university, where I have also some departmental responsibility, to resolve the situation in the interests of the students and with due regard to the taxpayers of Ontario.

Mr Jackson: I am pleased to have such wild support from the minister, but it is rather late for me.

McMaster University, none the less, has decided to proceed with these two very important programs, specifically on the strength of the word of the minister of this government. Unfortunately, they are not getting those classroom spaces. McMaster budgeted \$10 million to \$12 million for the renovation of the old teachers college site, and without it the college is now faced with the prospects of spending nearly \$100 million in order to implement these programs.

It would cost the government, the ministry and the citizens of Hamilton less than \$25 million to build a new school. My question is, how can the minister justify this course of action when he is in fact promoting the spending of \$75 million of additional taxpayers' money to meet the accommodation needs of McMaster University and the local school board?

Hon Mr Conway: I just want to say to my friend, on the rather disappointing news of his failed leadership campaign, that he appears to be truthful when he says he has had more support over here than he had over there, and I have to tell him there was not a great deal over here to begin with.

I am very disappointed, because I have been one of the honourable member's strongest advocates. I wanted the honourable member in that leadership campaign. The member for Burlington South, it is said, has an ambition that knows no rest, and to see it not participating in this unprecedentedly popular leadership campaign is disappointing in the extreme.

I want members to know that in recent times I have met with the president of McMaster University to assure that learned gentleman that I, in my capacity as Minister of Colleges and Universities, will do everything to accommodate the very real aspirations of McMaster in regard to the facility mentioned.

I intend as well to move forward to meet the requirements of the Hamilton-Wentworth—

The Speaker: Thank you. Order.

1500

#### **COUNTY GOVERNMENT**

Mr Tatham: My question is for the Minister of Municipal Affairs. I would appreciate an update on the number of requests he has received from counties wishing to participate in the county reform initiative which the minister announced in January.

Hon Mr Sweeney: Let me take this opportunity to thank the honourable member for his long-standing interest in this issue, particularly given the fact that he was chairman of a committee of this Legislature that went around the province to speak to counties about the advantages of their doing a review of their structure and organization. My only concern is that he was more successful than what I have been able to keep up with, because while we had reason to believe that about four or five counties would come forward requesting a review, we now have a list of 15 that have come forward. Our ministry has been able to accommodate seven of those 15 at this particular point in time. It is our sincere hope that we will be able to do many more of the balance before the end of this year. Therefore we currently have 15 requests, seven studies ongoing and we will move forward with the balance as soon as we possibly can.

Mr Tatham: There were some accusations that the province is intending to slash funding to the smaller municipalities to force them to participate. Is there any truth in that?

Hon Mr Sweeney: Mr Speaker, I want to assure you and the honourable member that there is no truth in that. Quite frankly, at this particular point in time, we simply do not have sufficient resources to do the reviews that have already been applied for, let alone going out trying to force anyone else into a review.

The honourable member will be aware of the fact that in January of this year I met the wardens of all 26 counties in southern Ontario and made it very clear to them that the decision as to whether or not they have a review of their county structure was entirely up to them and that the role of this ministry and the role of the government of Ontario would be to supply staff resources to them for research and management purposes of the review, but the review would be their initiative and it would be run by them.

The honourable member may also be aware of the fact that we do have a joint municipal-ministerial advisory committee looking at the whole range of funding mechanisms and costsharing mechanisms with our municipal partners across the province. It is my hope that the two chairmen, Grant Hopcroft, the president of AMO, and the member for Durham-York, my parliamentary assistant, will have a report to me by June of this year. I will then share it with my honourable colleague in the Legislature.

#### **PROGRAM FUNDING**

Mr Reville: My question is for the Minister of Education. He may know that for 22 years there has been at the Wellesley Hospital a program for children with severe perceptual and motor disabilities. That program is going to close next week because there is no funding. The Minister of Health, his colleague, has said it is not her problem. I am wondering if the Minister of Education thinks it may be his problem.

Hon Mr Conway: I thank the honourable member for his question. I can tell him that I am aware of the situation at the Wellesley. He is quite accurate in his description that at the Wellesley Hospital for the past 22 years there has been a program of the kind he has described, funded entirely out of the global budget of that hospital. The hospital has decided it is not going to continue that program.

I have asked my officials to consult with the Ministry of Health, local school board authorities and the hospital to see what might be done to ensure that the individuals who are receiving the benefits of that program will continue to have their needs met, even if the hospital should continue to hold to its current position that this program, which it alone has funded over the past number of years, is not going to continue there.

Mr Reville: I appreciate the minister's interest and I certainly hope his investigations prove fruitful. I think there is a problem in the answer, however. I do not believe, as the Minister of Health has said, that this is a program that necessarily has to take place in a hospital. The hospital has offered to provide free space. They do not feel it is appropriate to fund it out of their global budget and, quite frankly, I do not think it is quite appropriate to go after a local school board to fund a program which is preventive in nature and which deals with the self-esteem of some children who are profoundly disabled.

It is a prevention program. Somebody over there needs to pick it up. If it is the Minister of Education, fine. If it is the Minister of Health, fine. If it is the Minister of Community and Social Services, fine. I do not care how they do it; I want it done.

Hon Mr Conway: I can appreciate the honourable member's concern. I think all members and the community would support him in that. I simply repeat the point that it is the responsibility of school boards to meet the special education requirements of children, including children with learning disabilities. We as a ministry transfer tens of millions of dollars to school authorities, including school authorities in Metropolitan Toronto, so that they can meet the kind of special needs that this program appears to have been meeting in a hospital setting. It is also true that the Ministry of Education, through the so-called section-25 payments, provides for a number of special programs, often in settings like hospitals.

So I want to make the point that I recognize that the program has been long and well established at the Wellesley and that we do have special education funding arrangements that support school boards as they meet these needs across the province. I would continue to stress the hope that the hospital, working together with the Ministry of Education, the Ministry of Health and the local school authorities, will be able to work out a resolution so that the needs of these children will continue to be met.

#### WATER RESOURCES

Mr McCague: The member for Wellington had a question which required a supplementary and I know that it would have been long had the Minister of the Environment answered it. There is a request that the minister has had for quite some time for water improvements and a reservoir in the town of Collingwood. Could the minister tell me when he intends to approve that funding?

Hon Mr Bradley: At the present time, this time of year, the Ministry of the Environment, through its—it is called a project priority evaluation committee, which is a priority committee—

Mrs Cunningham: Another committee.

Hon Mr Bradley: No, no. The former Minister of the Environment who asked the question understands what this is. This is an independent technical and scientific committee that evaluates each of the proposals put before the Ministry of the Environment for sewer or water projects. It is at the present time evaluating them. A number have been announced. More will be announced this month and next month.

In addition to this, there is always the opportunity, as the former minister knows, for other initiatives that are forthcoming from a budget and allow for even a greater expenditure in a specific field. I want to assure him that I will fight very hard, as

he did when he was the minister, for those funds out of the Treasury to allocate to projects such as he has mentioned.

#### **PETITIONS**

#### ANIMALS FOR RESEARCH

Mr Wildman: I have a petition addressed to the Legislative Assembly of Ontario, signed by approximately 3,094 residents of Ontario, a good number from the Metropolitan Toronto region, requesting the Parliament of Ontario to pass into law a bill prohibiting the use of animals in cosmetic- and product-testing. That is Bill 190.

This raises the total of signatures to approximately 79,494 residents of Ontario supporting Bill 190's passage. I hope that this large number of petitioners will encourage the standing committee on resources development to schedule the bill for its clause-by-clause debate.

I have added my name to the petition and I support it, obviously.

1510

#### **PRIVATIZATION**

**Mr Tatham:** To the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"Privatization means substandard service, waste and inefficiency and loss of jobs. It hurts the economic base of our communities and lowers the quality and level of needed public services. We urge the Ontario government to stop privatization."

It is signed by 1,600. I have also signed my name to the group.

#### **NATUROPATHY**

**Mr Owen:** I would like to file a petition involving naturopathy, and I have signed it.

#### INTRODUCTION OF BILL

# ENVIRONMENTAL PROTECTION AMENDMENT ACT, 1990

Mrs Grier moved first reading of Bill 116, An Act to amend the Environmental Protection Act.

Motion agreed to.

Mrs Grier: The purpose of this bill is to give the general public the opportunity to initiate and otherwise participate fully in any hearing before the Environmental Appeal Board, to ensure that there is no stay of any order made by the Ministry of the Environment while the person on whom the order is being served is appealing that order and to allow the board or other appellate tribunal the power to make orders with respect to costs as a result of a hearing before it.

#### ORDERS OF THE DAY

House in committee of the whole.

INSURANCE STATUTE LAW AMENDMENT ACT, 1989

LOI DE 1989 MODIFIANT DES LOIS CONCERNANT L'ASSURANCE

Consideration of Bill 68, An Act to amend certain Acts respecting Insurance.

Etude du projet de loi 68, Loi portant modification de certaines lois relatives à l'assurance.

**Hon Mr Elston:** Mr Chairman, while you are getting your bearings, could I request permission for members of the Ministry of Financial Institutions staff to attend on the floor?

Agreed to.

The Chair: At this point I would like to know from the members on which sections amendments or discussions will be required. At this point I only have the list of the government motions for amendments. If other members from government or opposition have some proposals, please let us know.

Hon Mr Elston: Mr Chairman, I think we have sent over the last of the amendments we proposed and you have all of those. I wonder if, just for the convenience of the committee time and otherwise, I might propose that when we vote on the amendments, the votes all be stacked so that the members do not have to be called in and out of the House for each of the deliberations. It would help us conduct the business in an efficient and effective way.

The Chair: Is there agreement in the House?

Mr Kormos: There cannot be agreement to that, number one. Number two, I can tell you that each and every clause contained in the bill will be the subject matter of questioning and debate.

I should tell you, Mr Chairman, that I did receive a package of proposed amendments dated 20 March 1990 and I went through them carefully. I want to raise this now because I am fearful that I was shortchanged. I did not receive any—and I am sure it was only by mistake because I know there were a whole bunch of submissions made to the committee about how shabby the threshold was, how it hurt so many people and how it did not include psychological injury.

The government talks a lot about how it was responsive to those parties making submissions. I was expecting to see an amendment to the threshold and I did not receive one in my package. I am concerned that it was perhaps merely an oversight of the people preparing the package. If I could have a corrected package of amendments, including that amendment to the threshold, I would appreciate it before we start.

I want to raise that now because I know the minister would not want me to not be fully aware of everything that the government is doing in response to those fine submissions made to the committee by a whole lot of concerned people including victims, head injury patients, psychologists, therapists, etc.

The Chair: What I am trying to do at this moment, believe it or not, as I asked you earlier, is just to list the sections where you would like to see amendments. As a usual starting point, we will start with the minister. If you can wait until we list where we want to make amendments and if you want to have some general discussions on the bill, then anybody will have a chance to have some general discussion.

Mr McCague: Mr Chairman, I am simply going to try to answer the first question that you asked, and that was whether we have any amendments. The members know that the schedule for this week has been slightly altered for good and valid reasons, but my colleague the member for Leeds-Grenville had to be away today and would ask your permission to give you at the next sitting the amendments of our party. Maybe the minister could ask next week for permission to stack the votes ad infinitum, but at this point I would not want to commit our critic.

The Chair: To stack the votes we need unanimous consent, and we did not get it. So we are going back to vote by vote. We do not have a choice with that one.

Hon Mr Elston: Mr Chairman, in fairness, I think we do not have any proposed amendments either from the official opposition or from the third party. I propose that we start on the bill. Everybody has known since the committee was adjourned that this week we would start committee of the whole, and I think that we should proceed to deal with the sections for which amendments have been filed and for which we have given notice of our amendments. I think we should deal with them now.

The Chair: That seems to be my understanding of things also.

**Mr Cousens:** Mr Chairman, do we have amendments yet to be placed on the floor?

The Chair: I have the government amendments.

**Mr Cousens:** You have all the government amendments. Do they consist of all the amendments that the minister is going to be bringing forward, or does he have any inclination of additional ones? I think that is what the chairman was asking.

Hon Mr Elston: There was one that we sent over today, but other than that we have the amendments here. Unless there happen to be, for some reason, some amendments which are filed with us by the opposition parties, which are rational, that would be an unusual step for us to see those coming forward, because there has been nothing given to us by way of notification or otherwise. I would have to reserve the leeway of doing any housekeeping that would be needed for unknown amendments at this time which would be brought forward. So this is our package of amendments. All have been given to the table and to the critics.

#### 1520

Mr Kormos: We in the New Democratic Party come to this committee of the whole to debate the issues. The minister wants to obfuscate and delay. As I have already indicated, first, I understand that the package has been delivered. I am fearful that my package is deficient because there is no amendment here to the threshold.

Second, the minister knows full well that we do not support a billion-dollar giveaway to the auto insurance industry. Quite frankly, the facts do not support the need for that, and that is what this bill is all about. We are not at all interested in amending something that is so fundamentally and thoroughly bad and unacceptable to the people of Ontario that it does not warrant amendment, it simply warrants rejection.

The Chair: Once we list all sections where we will want to discuss this, anybody can have a general debate afterwards as much as he wants. I am still trying, believe it or not, to just list the sections where amendments are desired. Where we start off usually is, Minister, would you please rise and list for us formally the sections where you will want to see amendments and, if there is more than one amendment to each section, list how many there are, please?

Hon Mr Elston: They are on: section 3, dealing with section 6h of the Insurance Act; section 3, dealing with section 6na; section 37(2), dealing with clauses 98(1)(bg) and (bh) of the Insurance Act; section 37(2), dealing with clauses 98(1)(bl), (bm), (bn), (bo) and (bp) of the Insurance Act; subsections

45(10) and (11); section 47, dealing with section 208a of the Insurance Act; section 47, dealing with subsection 208b(1) of the Insurance Act; section 47, dealing with subsection 208c(1) of the Insurance Act; section 47 again, dealing with subsection 208c(3) of the Insurance Act; section 47, dealing with subsection 208c(5) of the Insurance Act; section 49, dealing with section 209a of the Insurance Act; section 55, dealing with section 230a of the Insurance Act; section 57, dealing with subsection 231a of the Insurance Act; section 57, dealing with subsection 232(2) of the Insurance Act; section 57, dealing with subsection 323(5) of the Insurance Act; section 63, dealing with subsection 239b(1) of the Insurance Act; section 63, dealing with section 239b of the Insurance Act;

Section 65, dealing with subsections 242a(2) and (3) of the Insurance Act; section 65, dealing with subsection 242a(5) of the Insurance Act; section 65 again, dealing with subsection 242b(8) of the Insurance Act; section 65, dealing with section 242c of the Insurance Act; section 65, dealing with subsections 242e(2) and (3) of the Insurance Act; section 65, dealing with sections 242f, 242g and 242h of the Insurance Act; section 65, adding the following section, 242k, to the Insurance Act; section 74, dealing with section 369 of the Insurance Act; section 74, dealing with clause 372(1)(a) of the Insurance Act; that subsection 82(4) be struck out and we add a new subsection 4—it actually adds a couple of new classifications, one for electric streetcar, and the other, dealing with the uninsured motor vehicle issue, is listed on the filed documents already; subsection 86(2), dealing with subsection 4b(2) of the Motor Vehicle Accident Claims Act; section 91 is to be struck out and transitional subsections 91(1) and (2) are to be added.

Those, I think, are all of our proposed amendments.

Mrs Marland: I just want to place on the record the understanding of our caucus as to the process and how we will proceed with Bill 68. That is, every section of the bill will be addressed in the committee of the whole House and we will proceed through section by section.

**The Chair:** For your explanation, we usually go section by section.

Mrs Marland: Clause by clause.

The Chair: Clause by clause. Hence, at this moment, if any member has a specific clause that he or she would like addressed, now is the time we usually list those clauses and those sections where members want to make comments, ask questions and propose amendments. Do you have any?

Mrs Marland: I have a number of clauses which I will want to address. However, I am not prepared to identify today for you what those clauses or what our amendments are.

The Chair: At the beginning of clause-by-clause, we ask all members to list at that moment the clauses that they would like to see addressed.

Mr Haggerty: You know the rules, Margaret. Come on.

Mrs Marland: Excuse me.

The Chair: Order, please. We shall be dealing with it clause by clause, so at each clause all members will have a chance. Even if they are not listed, members will have a chance. We are doing this for convenience. I saw that the member for Welland-Thorold wanted to speak.

**Mr Kormos:** Yes. I want to reiterate that, yes, we are interested in each and every clause of each and every section of the amendments and that we wish to discuss, not just myself but obviously the other members of the opposition, those and question the minister about them.

The minister went through the amendments that he is proposing to move. He mentioned an amendment to section 47 that deals with section 208a of the Insurance Act. I can tell members that I have amendments that deal with 208b and 208c but not with 208a in my package, so I am wondering whether he is talking about amendments that are not included in my package.

Hon Mr Elston: Mr Chair, that was, I think, forwarded to you today, but I am really quite pleased that the honourable gentleman wants to get as far as section 208a. If we can pass all of the other material this afternoon, I will gladly postpone dealing with section 208 until the first of the week. Certainly the honourable member will have more than two hours' notice with respect to the time that we are going to be able to get to that. I will guarantee that he will in fact have it now and in two hours we can certainly deal with section 208a. I am pleased that he wants to move that quickly through these materials. They will certainly be available.

Mr Philip: If the minister had been in committee, he would know that what he is suggesting is a complete impossibility. We intend to talk on every clause in this bill. It is a terrible bill. It has been opposed by a majority of the people who appeared before the committee, even though the minister was not there to hear them.

Mr Faubert: That is nonsense.

**Mr Philip:** It is not nonsense. Over 90 per cent of the presentations were against this bill. The only people who were in favour of it were the insurance company people who those people act as the dummies for. They are the ventriloquists who told them what to say.

Interjections.

The Chair: Order, please. I recognize the member for Markham.

Mr Cousens: The problem that has been found out by the member for Welland-Thorold is very simply that the government comes in and pretends to have all its amendments in place and has done all the processes. It is very obvious that the government has not circulated all the amendments, as it expects us to do it all.

But I would like to ask a question back to the minister. He read off a large number of amendments that are being considered by him. I would just like to have an idea of how many amendments he intends to bring before the House if there is a number, if someone has counted them up for him, because when he indicates that he has everything done and ready, it has taken him a considerable time.

Just every time he looks at the bill he seems to come forward with another amendment, and the problem we have, sitting on this side of the House, is that if he were to have more time to debate this bill and more time to consider it, he would obviously come up with more thinking, more ideas, more brainstorming and more amendments.

The result of that is going to be something that is far better for the people of Ontario. It is therefore in his best interests and in the best interests of the people of the province that we take this very systematically, very carefully and that we take it clause by clause so that we consider the ramifications this bill is going to have.

#### 1530

This is the place to do it. The government has not given sufficient time for all the people outside the House who would want to make presentations, and it is obvious this government wants to rush it through. To come along and say to the member for Welland-Thorold that the government wants to jump right through to the very end of the bill—if it wants to see us jumping around the bill, I think it is far better that we take this bill starting right at the beginning and not try to have the government force the chair into doing something that is against the interests of the chair.

Knowing that the chair would want to have this House run in a decorous way, I would hope, Mr Chairman, that you will not allow the weight on the right-hand side of the chair to in any way try to force this through too quickly or to take away the rights of the opposition to speak about these issues.

I did ask a question, and that is, how many amendments has the minister brought forward? I will say something else. If the minister does come forward with more amendments from the ministry, I for one would welcome that because I think he should keep his mind open.

If the minister comes along and says he has no more amendments, that would mean that there is not a chance that this debate could have any impact, but if he indicates now that he has 200 amendments—it sounded like a great number; maybe not that many—I would expect that as we debate this in the House and as people begin to talk to him and realize what it is he is up to with this legislation, he is going to want to make more changes than he has already.

I happen to know the honourable minister, for over nine years since he has been in this House, as one who has exhibited a great deal of understanding on many issues. Maybe this is the time for him to open his mind a little bit more so that on this issue in particular he is going to be able to exhibit that class approach he has had in the past.

Hon Mr Elston: If I might just reply, no matter how he begs, I will never become a Tory and I will never become a New Democrat. I will stay a Liberal, but I tell members, the number of amendments proposed is 30.

Mr Philip: What difference does it make? You are Tories anyway.

Hon Mr Elston: He asked the question.

Interjections.

The Chair: Order, please. One member at a time.

Mr Pouliot: Mr Chairman, I am a little confused. Perhaps with your wisdom you can shed some light. The member for Markham has indicated that over the nine years he has been here he has known the minister to be open-minded. It must have been all in the first four years, for I have only been here five years and I have not experienced this kind of open-mindedness—section 208a among others.

We on this side of the House, as the official opposition, are more than willing to expedite matters. We want the taxpayers of Ontario to get value for money, but the government has been piecemealing this legislation from the first instance. Now it tells us section 208a is being drafted somewhere in the boardroom, somewhere in the corridor. Is the minister ready to acquiesce to the request from the chair and give the government amend-

ments, every one of them, to the opposition, to favour us with copies?

Interjection.

Mr Pouliot: The minister does not have it?

Actually, what we should do is that unless the minister has each and every amendment to his own piece of legislation, he should adjourn the House. He should do everyone a favour and adjourn this debate until he is able, willing and ready to proceed, and he will find nothing but goodwill. In terms of our amendments, it is quite simple. We will debate every clause in a meticulous fashion, thoroughly. It is our duty to do so. We find major flaws, shortcomings and pitfalls with this kind of ill-fated legislation.

In the right context, we are willing to go to the wall on this issue for it touches the livelihood of every motorist in the province of Ontario. We want to proceed but we want justice to be done and we want the minister to give us the kind of amendments that will justify and recognize, more importantly, the major flaws that are causing despair among the taxpayers and motorists of Ontario.

Mr Kormos: On a point of order.

The Chair: Which standing order, please?

**Mr Kormos:** Standing order 73.

Mr Chairman, the minister specifically enumerated a list of sections in this bill to which he proposes to make amendments. Among those he indicated section 47 specifically, an amendment to what is section 208a of the act. That is what I told you at the onset was not included in the package of amendments I have. Standing order 73 indicates to me and I think to any fair-minded person who reads it that it means exactly what it says: You cannot come in here and talk about things that are not here yet or that may be here. You have to come in here and not only talk about things that are, but there has to be some forenotice given.

There is some good reason for requesting that all of these be presented at the same time. I appreciate that if something arises during the course of discussion in the committee of the whole, then it could be understood why the minister would not have tabled that amendment at the outset, and in those circumstances, if something arises that was unforeseen or unforeseeable by the minister—but what we are talking about here is the minister clearly in his head contemplating an amendment to what will be section 208a of the act, which is currently section 47 of the amendments. So it is not something that arises unforeseen and it is not something that arises during the course of committee discussion; it is something he clearly contemplates. That is exactly what standing order 73 is all about. That is why the requirement is there.

The reason why is this, Mr Chairman, as you well know: The reason is that amendments do not stand in isolation. One amendment could well affect the impact of a second, third or fourth amendment contained in the same package. You cannot look at amendments, sections or clauses in isolation. They have to be looked at one at a time, but in the greater context. That is why it is so horribly important for the amendment that the minister clearly has in mind to be tabled along with those other proposed amendments.

**The Chair:** Have you finished your point with this point of order?

Mr Kormos: To give effect to the point of order, I would respectfully suggest that the appropriate thing for the chair to do

is to adjourn the sitting of the committee of the whole to facilitate the tabling of that amendment the minister so clearly spoke of.

The Chair: If you look carefully at standing order 73, it says "when time permits." As the chair, on many occasions in the past I have encouraged all members of the House—

Mr Pouliot: Call Bay Street. They'll have it here in no time.

**The Chair:** Order, please. I am giving a ruling on a point of order, if you do not mind.

Mr Pouliot: Call the boys on King Street. They'll have it here in no time.

The Chair: Order, please. I have always asked and encouraged members on all sides of the House to submit to the table with as much time ahead as possible, in respect of standing order 73, sufficient copies for all the officials of the House, the critics, the minister and for everybody, but I also recall on many occasions proposed amendments coming in at the last minute. That has happened. Right now, for the information of the member for Markham, I have 30—correct me if I am wrong—proposed government amendments. I have received none from the other official parties. We can start. As usual I think you can trust the chair to look at clause by clause in numerical order so that all members will have a chance to address each of the clauses in time, as we usually do.

Going back to your call for 73, what has happened here is quite normal. We have received from the minister the proposed amendment to section 208a. I am sure the minister has made sure all his critics and other people have had copies. This is not unusual in past practice of this committee of the whole.

Before we proceed with section 1, I have a list of 30 proposed government amendments. Can I ask whether anybody else in the House has proposed amendments.

Mrs Marland: I do not have proposed amendments, but I do want to speak on this issue we are now discussing. I think it is singularly significant that this Liberal government has in excess of 30 amendments to its bill. That should tell anyone with a grade 1 education that it is a very poorly drafted bill.

If this government had not put itself in the position of grasping out of the air a method of, to use its own words, dealing with the crisis with automobile insurance rates in this province, it would have taken the time to have a bill drafted that would work in everyone's best interests. The fact that they are coming in with 30 amendments of their own says more than anything we can say about the fact that this bill should have been withdrawn and redrafted, and perhaps would have provided the solution that is needed today for automobile insurance rates in this province.

#### 1540

I want to just reiterate the comments that have been made because there in fact is no standing order that requires we submit our amendments beforehand. I take some exception to the minister's suggestion that this is what we should be doing here. I also think it is interesting, when you look at standing order 73, that it very clearly says "when time permits," and we do not even have all the government amendments. This is a very interesting situation.

The fact is that this whole subject of automobile insurance in this province is in a mess and Bill 68 is not going to provide the remedy. The government itself is looking at its own bill and recognizing that it needs 30 amendments in order to make it workable, from its perspective. Why would this government not withdraw the bill and have it redrafted and presented when it responds both to its own amendments and to the concerns of all those groups that came before the all-party legislative committee and said they had major concerns with this bill?

Why would this government not want to listen to the public for once on an issue of major concern and address that by withdrawing the bill and bringing it back in a form that responds to the concerns of the public of this province? This whole exercise, frankly, is a farce.

**Mr Philip:** On this point, it would not be as serious if it were not a constant pattern with this minister and this government on this type of legislation. What we have seen is a series of ad hockery in the committee that is of the worst kind.

First of all, it took us four weeks to get the research, which the government had obtained at taxpayers' expense, tabled with us. None of the delegations that were out there and that were carefully preparing briefs had the opportunity to study that research. Finally then, when the research was tabled, we found that all the studies with the exception of one had been done prior to the introduction of the bill. So we had what can only be described as either a deliberate or perhaps an inadvertent withholding of information not just from the committee, but also from the public.

Many of the groups that appeared before us would have liked to have had an opportunity to comment on the research because it dramatically showed that this government was wrong on this legislation. It showed that it was a massive transfer of close to \$1 billion from the pockets of the ordinary citizens of this province to the pockets of the insurance companies, be it the transfer of \$1.5 million of tax money or the transfer of the more than \$8 million in benefits out of the pockets of the driving public.

Finally, when we got that research, of course the government was embarrassed and it took considerable effort by the members of the opposition to even get permission from the Liberal majority to have one deputation back to comment on the research, the effects of the research and what it meant. So we have a pattern here. We have a pattern of the minister going around the province making statements that are as far from the truth as I have ever heard any minister gallop in this Legislature, saying one thing out in the boon—out in the various districts—

**Hon Mr Elston**: What did you say? What did you call the rest of the province, just because you live in Toronto?

Interjections.

The Chair: Order, please. One member at a time.

Mr Philip: Saying one thing out in the bountiful ridings that exist across this great province of ours, saying one thing in places like Windsor where cars are being manufactured, but where people are soon not going to have the money to pay for the insurance to drive the very cars that they are helping to manufacture.

We have the minister saying one thing out there; his parliamentary assistant having to defend it or not knowing what he said and having it quoted back; the insurance companies of course saying many of the same things that he has been saying but doing it with very expensive ads, two days, one day before the committee arrived in town; and then of course we have 6 February when we finally obtained the research, the secret documents this government had withheld from the public and had withheld from its own commission.

Here we had a situation where the government at tremendous cost to the taxpayers set up a commission. The commission was supposed to look into this whole matter of automobile insurance, and the government goes out there and spends more money having research done and does not supply it to its own commission. Not only are they hiding from the public, not only are they hiding from the committee, but they are withholding it from their own commission that is supposed to be making decisions and giving advice to the government.

When I was a young man, I used to go down to His Majesty's Theatre. I am old enough to remember. It was called His Majesty's Theatre until finally somebody decided that it should be changed to Her Majesty's Theatre. In Her Majesty's Theatre there was Blackstone the Magician. Blackstone the Magician had a very beautiful show and he had a very large enactment of the little old game, the little old magic trick called the three-shell game. You hide it here and you hide it there and neither shell then knew where it was.

Hon Mr Elston: It's like your condominiums, Ed.

Mr Philip: I think the minister has made an accusation against me, and I would ask that he withdraw it.

**Hon Mr Elston:** He was talking about shell games and I just mentioned that is like his property holdings, but I withdraw it.

Mr Philip: Some of us were successful before getting elected here. I cannot help it if he was not and he is jealous of people who were successful in business.

Being a successful business person, I know how to examine a bill, I know how to examine research and I say that this makes no business sense whatsoever. Any businessman—we heard from plenty of businessmen; they came; they did not have the benefit of the research the minister was hiding in his three-shell game—knew that this insurance was going to mean a direct stealing from his pocket, an expropriation of property without compensation.

We are going to be talking about that a lot later when we talk about the benefits section, where collective bargaining has taken place in this province or indeed where private businessmen have put away all kinds of payments for insurance for sick benefits and this bill steals those sick benefits. It is outright expropriation of private property without any kind of compensation.

Finally we got the research. We moved a motion that anybody who had gone to the trouble of making a presentation and who had further information in the light of the research we finally got our hands on, should be given an opportunity to comment. Lo and behold, the Liberals used their majority again, "No, we do not want to hear people who actually are going to examine this research."

Large amounts of it were actuarial in nature and surely one would think they would have wanted to hear from the public accounting profession in this province, from the business profession, from some of the excellent economists who are working for the trade union movement and from some of the people who are working for small business organizations. But no, they did not want to hear from them. They hid that research in the same way they are hiding amendments from this Legislature.

I do not know whether it is deliberate. In the case of the research, when we finally did get our hands on it, it was so

embarrassing to the government because it showed in no uncertain terms just how completely foolish this legislation was, how unworkable and how costly it was to the average consumer.

In the case of the amendments, now that the decision has been made by this majority government to go ahead with it, surely we can at least have the amendments. It is completely inappropriate that this should be done at this time.

I would also like to talk about another topic related to the amendments.

#### 1550

Mr Haggerty: On a point of order, Mr Chairman: I think the member is being repetitious. Under standing order 23(c), it says "persists in needless repetition or raises matters that have been decided during the current session." We had a debate on it yesterday. The minister has tabled the amendments, which they are well aware of.

Mr Philip: The Liberal members of the committee thought the presentations were repetitious too. There were 227 presentations, and 90 per cent of them were repetitious in one sense: they were all against the legislation.

Hon Mr Elston: No, that's wrong.

**Mr Philip:** The 90 per cent were against the legislation. What is the minister's figure?

Hon Mr Elston: That is wrong; they were not all against it.

Mr Philip: It may be 94 per cent.

**The Chair:** Order, please. All members will have a chance to speak, but one after the other, not all together.

Mr Philip: I want to raise another issue with regard to the amendments, an issue which I think shows that this government is simply not listening to the public. In Ottawa, Mr Chair—and I know that Ottawa is dear to your heart and you would be particularly concerned about this—we had some very interesting presentations, including an excellent presentation by the former Liberal critic of the Attorney General, Albert Roy. Mr Roy, of course, had come out with considerable courage to attack this legislation. He said that it was simply unfair to the people whom he was representing in court.

Hon Mr Elston: On a point of order, Mr Chairman: I do not mind getting into the discussion about the bill which this gentleman wishes to carry on, but might I request that he tell us to which section he is speaking so that we can move this section and properly begin the debate?

Mr Philip: I am speaking to the point of order about the amendments, Mr Chairman.

Hon Mr Elston: There is none; that was dealt with.

The Chair: Which point of order, may I ask?

Mr Philip: There was a point of order raised that all members had not received all the amendments and that is what I thought was under debate.

The Chair: I dealt with that point of order a long time ago, unless you want to bring it up again.

Mr Philip: Mr Chairman, under the standing orders, the members have the right to receive the amendments. We have not received all of the amendments. I am talking about the manner in which the amendments are being presented. In talk-

ing about Ottawa, there are amendments that are not here. The minister has indicated that he has other amendments—

Hon Mr Elston: I think what we should do, Mr Chairman, since you have dealt with the issue of the amendments, and rightly so, and indicated that they have been received, and timely so, by the Chair, is now move to do what we are here to do, and that is clause-by-clause discussion. I would like at this time to move section 1 of the bill.

The Chair: I usually ask, section by section, for discussion.

Interjections.

The Chair: Hold on a minute, please. Order, please. Members will have as much opportunity as all members would like to have to discuss it section by section. I have told you that before. If we are going to cover every one of the 93 sections, what is the problem? We will deal with all of them.

Mr Philip: The problem, Mr Chairman, as I was trying to explain to you and to other members of the House, is that in Ottawa we received a presentation from members of the bar association pointing out that amendments in the case of complicated legislation like this should be presented simultaneously in both English and French. A plea was made to the members of this committee that with regard to definitions and also with regard to the area concerning threshold, there could be considerable differences between an English translation and a French translation, and that in the event that a matter went to court there could be considerable dispute if we did not have an opportunity to closely examine both the English and the French at the same time to ensure that they were perfectly compatible.

We have been presented a series of amendments. Having listened to the careful presentation of the Law Society of Upper Canada and members of the bar in Ottawa, now we are completely ignoring those gentlemen of the bar, who made, I think, a reasonable presentation. They said: "This can affect our clients. This can affect the way in which we deal with a case, particularly since there are going to be innumerable cases in court trying to prove that someone meets the threshold in order to have an opportunity to sue."

No one is suggesting that in the case of a normal, simple bill, where everything is fairly clear and understood, this is necessarily the case, but here we have a situation where we have some very complicated definitions under section 1. When we get over into the threshold section, we have whole areas where the parliamentary assistant to the minister and his staff could not explain to us what the meanings were in English.

When we get into situations like that, I think it is only fair that we have the bill presented in both languages in order that my colleagues such as Mr Pouliot and others may examine it in their language, the language of one of the two founding nations, and thereby, hopefully, if there is any misunderstanding or any contradictions between the English version and the French version, they will be corrected at this stage rather than in a very costly court proceeding. This is a matter on which I would like to hear the minister's views.

The Chair: Since the member raised a point of order, I presume he was still speaking on standing order 73 when he made that point of order. As far as I am concerned, under the standing orders there is no provision for anybody to be forced to bring forward a bilingual bill. We have one language here. For the further information of members, if I understood well, the minister said there are 30 proposed amendments here. Did I

hear the minister say that as far as he was concerned this is what he was planning to bring forward?

Hon Mr Elston: That is correct.

**The Chair:** As of this point right now, the minister has no other known proposed amendments to bring forward?

**Hon Mr Elston:** At this point there are none contemplated. Those are all of the amendments we have.

The Chair: Did the member for Etobicoke-Rexdale want to continue on the same point?

Mr Philip: Yes, under section 73 it says copies of such proposed amendments shall be distributed to all parties. The point I am trying to make is that the members of the bar association in Ottawa have made the argument that an English version may not be compatible with a French version, and so, in a sense, when you get into complicated legislation, if you do not table it in both languages, you are, in fact, in violation of the spirit if not the letter of section 73; namely, the tabling of copies of such amendments.

I am saying that in complicated legislation the amendments should be presented in both languages in order that we may ensure there are no discrepancies in interpretation between the English version and the French version, and if you do not do that, you are certainly in violation of at least the spirit of section 73.

The Chair: I have to rule that out. I am sorry; 73 as it is written does not permit me to answer to your request, however honourable it may be. The language is right there. As far as I am concerned it is at the minister's discretion. It is not specifically set out in 73.

Mr Cousens: Mr Chairman, I think your ruling on that matter is quite correct. I think a committee of the Legislature is in the process of looking at the translation of documents within committees, and I think there is a review process under way on that. That was at least something that was discussed in our caucus earlier this week.

#### 1600

I want to go back to one of the points that was raised earlier by my colleague the member for Mississauga South when she was commenting on the drafting of this bill and the sum total of 30 amendments that have been brought forward and also the fact that it was so poorly done. I think the whole reason we are here goes back to a promise that was made by the Premier of the province when on 7 September 1987 on an election campaign stop in Cambridge, Premier David Peterson said he had, quote, "a very specific plan to lower insurance rates."

An hon member: Was he telling the truth?

Mr Cousens: I would not want to get into the truth of the matter. The fact of the matter is that there is no doubt that if the Premier had a very specific plan to lower insurance rates, he would not have had a series of amendments brought forward since the bill was originally drafted and presented to the House on 23 October 1989. Since that time, we have had numerous amendments and now we are having 30 more amendments.

I just have to say, as we begin the whole process of this exercise, it is rather tragic that the Premier was so presumptuous on 7 September 1987 to think that he had a very specific plan to lower insurance rates. I think it is very obvious that by the 30 amendments, by the debate that has gone on, by the close to \$20 million that has been spent with the commis-

sion that has been set up, with all the different studies, actuarial and otherwise, we are facing the very tremendous waste that has gone on since that promise that was made on 7 September 1987.

At the same time he was in Cambridge, the Premier denounced the New Democratic Party proposal of government-run auto insurance stating, "You can say anything you want, but the point is if you aspire to govern, you have to be credible and base the things you say on accurate information, not just wishes and theories." I think that is what is really going to happen through the debate in this Legislature now. We are going to be dealing with the government's wish list, which we are not happy with, and its theories, which we are not happy with. We are dealing with a bill that is poorly drafted and poorly thought out.

It is also a breach of that faith that was established between the Liberal Party and the province of Ontario in that election of 1987. That is going to be a problem that the government is going to be dealing with in this debate, this debate that continues now from the discussions that were held earlier in the standing committee on general government.

When we look at the actual statements that were made by the member for York Mills when he was making presentations to the committee on 15 February this year, he said, "I am sure in the next 10 weeks or 10 months you will hear all sorts of arguments about wrongdoers being favoured."

I think it is important—it is imperative in fact—that we have that debate in this Legislature before all the people of Ontario so that everyone understands more fully than ever before the ramifications of this bill, the ramifications of each of the sections and clauses of this bill, the ramifications that are part and parcel of the government's amendments. To think that this government wants to just push it through, push it over and pretend that everybody is just going to acquiesce and accept it without any kind of reaction is a complete misunderstanding of the way the people of this province feel.

There is a real sense of concern about how this bill is going to be dealt with. I would hope the government is going to be able to respond to the questions and concerns that are raised. They have a chance now to come forward in this House and, hopefully, find some of the directions that they have taken are the wrong way and, hopefully, lead us out of the real problems they are taking us into with this bill.

I hope the Chair will allow the government to have more amendments than it has had and more insight. We cannot make them think, but we can provoke thought by our very incisive way of bringing people's attention to things. If through this debate we can cause the honourable Minister of Financial Institutions to begin that process, we will have done something for the people of Ontario for a long time.

The First Deputy Chair: I have watched the proceedings to this point. I have listened to several discussions around what a member thought was a point of order. I have watched the previous occupant of the chair make a ruling on that. As far as I am concerned, that particular point of order has been dealt with and I do not intend to entertain further discussion on the matter.

If members wish to raise a new point of order, they may of course do so. Failing that, we would proceed to go through the bill, and I take it from watching the proceedings to date that the members have indicated they wish to go clause by clause. Although there has been an indication of several amendments on the government side, none has yet been put forward by the opposition side, but it has indicated that it wants to do it one by one. Is that the correct assumption that I have?

M. Pouliot: M. le Président, rappel au Règlement.

The First Deputy Chair: The member for Lake Nipigon.

M. Pouliot: J'aimerais invoquer le Règlement, la section 73 — on vient tout juste d'en parler brièvement — en ce qui concerne le service de traduction. Bien sûr, chez nous, on ne demande pas que tout le projet de loi soit traduit. Mais non, nous sommes des gens raisonnables; nous sommes des gens quand même réalistes, expéditifs en ce qui concerne la formule de mise.

Ce n'est pas nous qui demandons que le projet de loi ou les amendements soient traduits ; ce sont les gens qui sont venus nous rendre visite. Ce sont ceux qui nous ont dit, «Vous les démunis, peut-être, vous qui devrez un jour prochain faire face à la loi du gouvernement de l'Ontario» Dans certains cas, il se peut, il est possible, au chapitre de la jurisprudence, que certains articles, certains alinéas soient ambigus.

We are not asking that the whole document be translated, it does not make the least bit of sense, but what makes a lot of common sense, with respect, is that some of the articles that could have a different interpretation, that are indeed ambiguous, for they do not exactly mean the same thing in English or in French—what we are asking is the acquiescence and the goodwill from the minister if, from time to time, they are brought forth to him to help a clientele, some people who could be in trouble, that his good office be able and willing to provide those people with that translation from time to time.

The First Deputy Chair: Any further points of order, hurt feelings, personal opinions that people would like to get on the record before we begin clause by clause?

Mr Mackenzie: Mr Speaker, I ask your indulgence because I am not sure whether it is a point of order or not. It is a simple question I want answered because it was part of the discussion when I walked into this chamber here this afternoon, and that is the question as to whether or not we have all of the government amendments. I understand we have 30. We are told there are no more at the moment, but we are not told there may not be more.

In fact, it is difficult dealing clause by clause, as we found out from time to time in Bill 208, if you still have amendments that are going to be coming. Sometimes one amendment can change the intent or the meaning or the feeling of a previous amendment and if there are going to be more government amendments coming I would like to know now; otherwise I find it very difficult to deal with this bill clause by clause.

The First Deputy Chair: I think the previous occupant of the chair made it clear that the Chair is an awkward position. As much as we would like to have advance notice of amendments, we have nothing in the standing orders which would allow us the latitude of insisting that they be done that way. The members have pointed out that they are anxious to proceed and wish to see any possible amendments that might be made. I think we have pretty well wrestled that matter to the ground.

You have what the government's intentions are at the moment. The opportunity—and I should point this out, too—for any member to put an amendment is there and there is nothing the Chair can do. If time permits, within reason, you are asked to provide amendments in writing. Certainly, if you want something to carry, it makes sense to me that you try to inform other members of what it is. I think we have pretty much exhausted that argument. You can ask questions as we go through clause by clause, you can state your opinion as we go through clause by clause and, if you really want to, you can move amendments

as we go through clause by clause and that is the way we will proceed.

Are there any further points of order?

Mr Kormos: I appreciate what the Chair is saying and I respect the Chair's ruling. At this point, however, I would ask, frankly, for some direction from the Chair. I have operated on the understanding that the minister—when he enumerated the amendments to be tabled, I heard him state an amendment to section 47 of Bill 68 which will be section 208a of the Insurance Act. The genesis of this whole discussion has been the fact that the minister spoke of that amendment. When he was enumerating the amendments, I was very carefully following in my package of amendments and I did not see one that referred to 208a.

#### 1610

The Chair might have heard that I was shocked and surprised when I did not see an amendment to the threshold in the package of amendments. I thought that had been overlooked and that indeed the government had responded to the submissions made to it. I think it is important for the Chair to have this degree of control over the proceedings taking place in front of us, because we all know about the Thursday 28 October 1989 press release, the one that acknowledged the changes to the regulations, the increase in wage replacement and the increase in the monthly payout, that came from the insurance industry, which suggests that it was party to this information long before members of the Legislature; indeed, if not in October, at least by virtue of a few days.

Is it simply a matter of the minister having made an error when he spoke of 208a, is it a matter of the insurance industry not having yet completed its drafting of the amendment or is it a matter of the insurance industry not having completed its orders to the minister? Because Lord knows, he is only following orders. The marching orders have been delivered day after day, week after and week, month after month and, as it is now, year after year by the auto insurance industry.

Mr Chairman, you may not have been there when the parliamentary assistant to the Minister of Financial Institutions said to the press, "The government got hammered in the committee hearings." He is talking about the persons who came before the committee saying, "No, no, no," one after the other; dozens, scores, hundreds of them saying: "This is bad legislation. It's going to hurt the little people. The only people it's going to help is the insurance industry." The member for Guelph said, "The government got hammered in the committee hearings." He made that statement in reference to the majority, the 90 per cent at least of the individuals and groups that came before that committee saying no to the legislation.

The other reason why I raise this with you, Mr Chairman, is because the ministry, through its parliamentary assistant, has been adamant all along that there are not going to be any substantial changes. Even before the committee hearings were close to being ended and even before the government had heard from all those hundreds of people who wanted to comment on the legislation, the government said: "There are not going to be any substantial changes. We don't care what people say about this legislation."

Perhaps it is because they were beholden to the insurance industry, and that is a question that, hopefully, we can investigate during the course of this discussion in committee of the whole. But it remains that they made it quite clear, before even having heard the submissions, that they were not going to make changes. What they did during the course of the committee was

some cleanup because—Mr Chairman, I think it is important that you know this when you are considering my request—this bill was so hastily prepared that it was chock-full of mistakes, errors and blunders in drafting. Again, no fault should be attributed because the poor personnel who were forced to put it into words were obviously getting instructions at the 11th hour, if not the 12th hour. Because of the late-night phone calls from the insurance executives to the minister, the timing was as it was, that people were working late into the evening under the worst of conditions.

What happened during the course of the committee is that some of the sloppiness in the drafting, again no individual person's fault, because this is what happens when you force people to work hastily and under the pressure of the gun, these were being—

Interjection: The stakes are high.

Mr Kormos: Ah, but the stakes are high. We are talking about a \$1-billion payday for the insurance industry, \$1 billion the first year alone coming out the pockets of taxpayers, out of the pockets of drivers and on the injured, broken backs of kids, crippled victims, workers, small business people.

I should say that if the chair declines to act upon my request that it merely address the minister to inquire as to whether or not there is an amendment to what will be or what is section 208a of the act—the minister may have made simply another mistake. Lord knows the bill reflects a whole series of mistakes that he has made, at least in the eyes of the people of Ontario, and it is not beyond him or any of us here to have made an error. So if the minister merely erred when he said there was going to be an amendment to—

**Mr** Haggerty: On a point of order, Mr Chairman: Does standing order 97 apply to the member speaking? He has repeated that three times on three different occasions.

**The First Deputy Chair:** Yes. I would ask the member—Interjections.

The First Deputy Chair: Order for a moment, please. I would ask the member to get to the point.

Mr Kormos: I would like to speak to the point of order. If the member for Niagara South had been listening, he would find that I have said it more than three times. I have said it dozens of times because it warrants saying to the people of Ontario, to the drivers and the victims and the taxpayers of Ontario, that this bill is going to gouge them, is going to dig deep into their pockets and is going to do so at their expense and to the benefit of the insurance industry.

Liberal members across Ontario have been approached in that very same way by their constituents. A Liberal riding association in Sudbury has requested its member to please help defeat this legislation. The riding association of the member for Hamilton Centre, I understand, according to the Globe and Mail, has begged her, pleaded with her, to do the very same thing, saying, "Please, put your constituents ahead of the partisan obligations of the Murray Elston and of David Peterson." Indeed, the member for Windsor-Walkerville has expressed his great concern about how much harm this bill is going to do.

So when the parliamentary assistant acknowledges that the government got hammered during the course of committee hearings, it warrants reminding Liberal members of that time and time again, especially those who have had their constituents beseech them to act reasonably and rationally.

My friend the member for St Catharines-Brock, up in the northern part of the Niagara Peninsula, a Liberal backbencher, had picketers outside his office about a couple of weekends ago saying, "Please, Mr Dietsch, first read the legislation. It's important enough for you to please do that." I am sure he promised that he would. "Read and listen carefully to the criticism and stand up for your constituents. Stand up for drivers and victims and taxpayers. Don't stand up for the big insurance companies. They're powerful enough and wealthy enough. They can do that all on their own."

The First Deputy Chair: Order. Will the member take his seat for a moment. You began this by offering the chair some directions. You have given me more directions than I can cope with. Let me suggest something that seems a little obvious in here. I think you are going to hurt yourselves if you try to go for more points of order. Why do we not simply proceed in a way that is traditional around here and allow any member who wants to to make a brief opening statement? Then you do not have to pretend that you have a point of order up your sleeve. You can say whatever you want to say. It will not be a problem. It is apparent to the chair what the House wants to do this afternoon, and I am helpless. I cannot do anything about that. If that is what you want to do, that is how we will proceed, but let's stop pretending to have a point of order when there is none. If you want to say something, simply get acknowledged by the chair, stand up and say it. How would that be?

The member for Welland-Thorold obviously has something he wants to say and then we can just go around.

Mr Kormos: I appreciate the direction the chair has provided in that regard and that is exactly what I was seeking in my request to the chair.

I look at the transcript of the member for Guelph, a Liberal backbencher and parliamentary assistant to the Minister of Financial Institutions and indeed, as I and other people from the New Democratic Party have said during the course of these committee hearings, a fine person, a person who deserves far better than to have been forced out to the front while the minister stayed in the bunker during the course of those committee hearings. I read the comments of the member for Guelph, a Liberal member. Among other things in reference to Bill 68, he said, two days ago, "I honestly thought I was doing something grossly wrong," speaking about his promotional efforts on the part of Bill 68. I am reading that out of context, because what the member said was, "I honestly thought I was doing something grossly wrong," in his promotion of Bill 68. He said he became aware of that when he listened to what they-opposition members—were saying. He then refers to saner moments entering the picture and indicates that helped put him back on track.

#### 1620

As I say, I take it out of context, but it warrants being approached in something of an analytical way, because the parliamentary assistant is indicating that indeed, yes, there were points in time when he believed he was doing something grossly wrong by virtue of his promotion and support for Bill 68. And that is the question: Is it really a matter of saner moments or perhaps, more fairly put, more rational and more partisan moments that cause him to retreat from the awareness that what he was doing was wrong, it was immoral, it was obscene, it was robbing from taxpayers, drivers and victims to pay out the biggest single payday the auto insurance industry in this province has ever seen?

That leads to this question, because the member for Guelph, Liberal backbencher, parliamentary assistant to the Ministry of Financial Institutions—and it is the Minister of Financial Institutions promoting the Premier's Bill 68—says the problem is one of affordability. We have known that for a long time and we have been telling the government that for a long time, but frankly, it astonishes me and a whole lot of other people as to how you address affordability by giving a \$1-billion gift, a \$1-billion payoff. How do you address the issue of affordability to drivers by greasing the insurance industry to the tune of \$1 billion in the first year alone, especially when it would appear it does not need it?

We are talking about affordability. Let's talk about affordability and let's talk about profits for just a minute, because it came out a whole lot of times during the committee hearings and before that, and it is going to come out a whole lot more, that the insurance industry insisted for months and months and years and years that it was losing money.

Indeed, Mr Justice Barr—Rod Barr, retired judge of the Supreme Court of Ontario—when he appeared here at Queen's Park before the committee to tell the government it should abandon this legislation, to tell the government this was bad legislation, that it was going to hurt people, it was not going to help reduce premiums and all it was going to do was enhance the profitability of the insurance industry, talked about how it is remarkable that some of the same people who are crying poverty now were crying poverty back when he started practising law in 1955, that for the last 35 years these same insurance companies have been saying they have been losing money.

How can they have been losing money for that long and yet still remain in the business? In fact, Mr Justice Barr noticed that not only do those same people cry big tears about having lost money, but he says the environment has attracted new industry: Pafco, Safeco and others.

Mr Pouliot: Read the book.

Mr Kormos: But I was. I look to the Canadian Underwriter, February 1990; this is the in-house journal of the insurance industry. So let's take their word for a minute and let's be sceptical about that, because let's remember the auto insurance industry told the Ontario Automobile Insurance Board that it, the auto insurance industry, lost \$142 million in 1987. The Ontario Automobile Insurance Board found out that when the auto insurance industry says it loses \$142 million, what that really means is it made profits of in excess of \$50 million.

They simply do not tell the truth; they lie. What the Ontario Automobile Insurance Board says it that the auto insurance industry plays with the figures, juggles them and can make a profit look like a loss because it is in its best interest to generate this myth that it is a losing proposition. Once again, if it is a losing proposition, what are they doing staying in the business and why are they fighting tooth and nail to retain control of that same industry?

Even the insurance industry itself, in its February 1990 issue of the Canadian Underwriter—and this is, of all people the Insurance Bureau of Canada president, Jack Lyndon. Once again he insists that in 1989 auto insurers will have lost money He insists that is the case. We know that he does not tell the truth about those sorts of things. We know that his accountants can cook the books, can juggle the figures to make profits lool like losses and that it is in their best interest to do so, because that is how they justify premium increases.

With their collusion with this government, they manage to get premium increases even during so-called periods of freeze premium increases that have resulted in some pretty attractive numbers and pretty attractive figures for not just the auto insurance industry but the insurance industry in general.

Let's look at 1989. According to the Insurance Bureau of Canada, Jack Lyndon himself, and this is the nine-month period, the first nine months of the year 1989, the first three quarters, for every dollar of premium collected, and these are the statistics from the insurance industry itself, 92 cents was paid out or—and this is what is important—reserved to pay claims.

They do not provide the breakdown of what was in fact paid out as compared to what was reserved because what we earned during the course of committee hearings and what we earned from people like Irene Bass of William M. Mercer luring the course of the Ontario Automobile Insurance Board nearings is that this is in fact one of the ways that the books are cooked, one of the ways that the figures are juggled, because eserves are treated as if they are in fact paid out when they are not.

Reserves in fact are not juggled. They are not transferred from an interest-bearing account to a non-interest-bearing trust account. Reserves are simply numbers jotted down in the accountant's books that get treated along with the payouts for the surpose of artificially increasing payout, or the impression of payout, to create the illusion of loss. But even at that, the IBC ays 92 cents was paid out or reserved to pay claims; 21 cents was paid out for operating expenses. That is a pretty hefty overlead.

That is not a particularly efficient industry when 21 cents or every premium dollar collected is paid out in brokers' comnissions and company overhead. Questions that could be asked of each and every one of those insurance company executives, with their particular and unique style and demeanour, who came refore that committee and who tout their interests across Onario, are: "What kinds of cuts did the executives of your comany take in pay last year? What kinds of perks were eliminated rom the president, the vice-president and the treasurer? What inds of new car purchases were deferred for company cars for our senior executives?" The answers to those questions would be most revealing.

So we are already looking at an industry that is grossly nefficient. Talk about 21 cents paid out for every dollar taken a for operating expenses, brokers' commissions and company verhead. Then we are adding three cents. This is according to he IBC: 92 cents paid out as reserves or to pay claims, 21 cents aid out for operating expenses, incredibly high overhead, three ents paid out as the premium tax, the provincial premium tax. This is what the government is forgiving, do not forget, among whole pile of other things in this bill. This government is reating a tax break for the insurance industry and it ain't creating one, by any stretch of the imagination, for the taxpayers of Ontario. We do not know who is teaching whom the lessons. Is flike Wilson teaching the Premier or is the Premier teaching flike Wilson and Brian Mulroney? Three cents paid out in remium taxes.

At that same time, 14 cents on every premium dollar was arned in investment income. What the Insurance Bureau of lanada says is that the net result is that auto insurance comanies lost two cents for every dollar collected in premiums, ased on these types of calculations.

Earlier this afternoon, a member talked about how you did ot have to be particularly bright or particularly skilful at igures to perform some of the basic calculations she was roposing. You do not have to be particularly skilful with figures to realize that in the insurance bureau's own figures, if the net loss is only two cents on every dollar, the elimination of the premium tax more than compensates for that. In fact, it compensates for that, plus throws them into a profitable picture.

1630

But this government is not content to do just that. This government wants to sell the farm. This government wants to forgive the three per cent premium tax. This government wants to forgive the indebtedness to OHIP by the insurance industry. This government wants to eliminate over \$800 million a year in compensation paid out to innocent injured victims. This government wants to relieve the insurance industry of its responsibility for economic loss to the tune of almost, if not in fact, \$1 billion in the first year alone.

I read that in the February 1990 issue of the Canadian Underwriter, and I thought about that when the member for Guelph was saying that the issue was affordability, the problem was one of affordability. The Liberal solution to affordability is to let the insurance companies make more profits and still jack up insurance premiums in Ontario by anywhere up to 50 per cent. That is what the Minister of Financial Institutions finally told the public: premium increases of up to 50 per cent.

Interestingly, the March 1990 issue of the Canadian Underwriter—and the statistics from the Insurance Bureau of Canada for the property and casualty insurance industry in Canada include auto insurance and other forms of property and casualty insurance as well—says that for the third quarter of 1989, the insurance industry in Canada earned an eight-year record high profit. For the third quarter of 1989, the insurance industry in Canada earned profits that it had not seen in eight years, profits of \$317 million for the third quarter alone.

This is not an ailing industry. This is not an industry that is going broke. There has not been a single suggestion to this government or to any member of this Legislature or to any sitting of the committee that the insurance industry has started to tighten its belt. Indeed if anything, they have spent and spent and spent, because they have persisted in spending on campaign contributions and they have persisted in spending on third-party advertising to the tune of hundreds of thousands, if not more than hundreds of thousands, of dollars.

Even during the committee hearings when the insurance representatives, the executives of at least a handful of insurance companies, came to the committee, quite frankly, acting as if they had undergone some sort of incredible conversion, as if the leopard had changed its spots, there was not a single suggestion from any one of them that they had tightened their belts, that they had cut back on executive salaries, that they had cut back on commissions to brokers, that they had cut back on company perks or that they had become more generous and fairer to injured people.

One of the things we heard time and time again during the course of those committee hearings was that the insurance industry is awfully efficient when it comes to collecting premiums. They are real good when it comes to dipping into drivers' pockets to collect premiums and they have been real good when it comes to justifying increases. If they cannot do it one way, they will do it another. If they cannot get in the front door, they have proven they will try through the back door.

You know what happened, Mr Chairman, and the minister knows full well too. We saw the old insurance flip, the insurance company shuffle, that was happening to avoid the latest cap of 7.6 per cent, quite a generous one in itself, one that

permitted this industry to make profits of \$317 million in the third quarter of 1989, eight-year record high profits.

What happened, as you well know, Mr Chairman, is that a given driver was being told that he or she would not be renewed by insurance company A, being referred over to insurance company B, facing premiums that were perhaps double or maybe even as much as two and a half times what they were with the first insurer. Then we found out that the address was the same, the head office was the same and the president, treasurer and vice-president were the same. In fact, these were identical companies. They were sibling companies, if you will—not even sibling, they were clones of each other.

In fact, this was a convenient way. The minister had to sadly acknowledge that there was nothing in his legislation, nothing in the safeguards for consumers, as he would like to have people believe, that would protect people from that.

The insurance industry has proven itself real efficient at collecting premiums, but all of a sudden this efficiency flies out the window when it comes time to pay out benefits. We heard from people who sought nothing more than their no-fault benefits. Let's not make any mistake about it, and the minister knows this too: No-fault benefits have been in existence in this province for in excess of a decade.

There is nothing no-fault about this insurance legislation. The Liberals and the insurance industry seized on no-fault, used it and marketed it, knowing full well that—and I am trying to speed this up as quickly as I can, and I know that time is fleeting but we are embarking on a discussion of a piece of legislation that is going to have an impact on every family in the province of Ontario—we will get into this shortly—not just families in the province of Ontario but any number of visitors who come here from other jurisdictions, the United States of America or from other provinces.

We are looking at insurance companies that, as I say, have not changed their spots. We are looking at insurance companies that, we were told, not only deny benefits to third-party claimants but deny benefits to their own customers.

We heard from Joe Pileggi, who works for a litigation counsel here in the city of Toronto and who told us about a beautiful young model who was crippled by an at-fault driver but who, as the government would say, as she was entitled, sought her no-fault benefits from her insurer, no-faults because they exist now; there is nothing new in this legislation about no-fault legislation or no-fault benefits.

As we were told at the committee hearings, Ms Crawford felt compelled, out of her sense of duty to her community, to participate in an anti-drunk-driving rally organized by the Attorney General. She wheeled up the ramp on her wheelchair on to that stage to try to impress upon people, young and old alike, the horrors that drunk drivers can inflict on innocent victims like her, expecting full well that because her paralysis had not gone away, her paraplegia had not disappeared, her lower limbs were still lifeless, she would be able to receive her, at that point, modest no-fault benefits the next week as well. But did she? No.

We were told during the course of the committee hearings that her insurer, her own insurer, not the other guy's insurer—these are no-fault benefits—cut her off because they determined that if she was healthy enough to go on a stage and speak out at an anti-drunk-driving rally for the Attorney General, crippled in her wheelchair, she was well enough to go to work, to get off her butt and go out and earn her own income and that she did not have to stay on the no-fault benefits of her own insurer. Come off it. Come off it.

Are there pleasant or polite words to describe that insurer in the judgement that it exercised? I think not. I do not think there is a single person in this Legislature who could come up with pleasant or polite or less than intemperate language to describe that particular insurer.

The government here says, "We are going to make the insurance companies toe the line." The government is as much as acknowledging that the insurance companies' performance is far less than acceptable. By virtue of the government saying, "We are going to make them toe the line," the government is acknowledging that the insurance companies have the proverbial short arms and deep pockets, that they do not pay out when they should.

Again, when you are talking about private, corporate insurance companies and understand what their goal is—they are not charitable institutions. They are not altruistic organizations. Their goal is to make money and to make as much money as possible, and they have squeezed their premium payers to the nth degree and sucked every last bit of blood out of them. They have made it clear that they will squeeze victims to the nth degree and suck every last bit of blood out of them, and now they are demonstrating that they do not have to put the squeeze on the government because the government will take a fall any day of the week for them. The fact is that nothing has changed about that industry. The government acknowledges that this is their nature, that this is the nature of the beast.

#### 1640

The Second Deputy Chair: I would like to bring the honourable member to order, please. This is the fun part about this job; you are in control of all the microphones. It is so much fun.

I just want to say to the honourable member, I remember the last session I was awfully remiss. It has been pointed out to me that some members of the assembly from time to time usual language that might border on the point of being unparliamentary, and that being the case at the moment, I am only reminding the member to be a little cautious in terms of language when it is bordering on being unparliamentary and inflammatory to the House. Thank you.

Mr Kormos: Far be it from me to ever do anything more or anything less than call a shovel a shovel. Quite frankly, if the shoe fits, it can be worn. We are just calling it the way we see i and, quite frankly, the way thousands and millions of people across the province of Ontario see it.

Let's get back to the issue at hand. I appreciate the Chair' concern about that, but I am also concerned about the Chai being duped or used inappropriately to try to detract attention from what we have to focus on here. Not purposely; I say the Chair is being taken advantage of, and I think it is important—

The Second Deputy Chair: No one brought it up as point of order. I brought it up as a point of order.

Mr Kormos: That was an interesting approach to things Mr Chairperson.

The Second Deputy Chair: That is right. Well, my job is to run the committee of the whole House.

Mr Kormos: Thank you, Mr Chairperson.

The remarkable thing is that it is when I use language that perfectly proper that members of the government jump up an say: "What does that word mean? I do not understand it."

When I get down to brass tacks and talk like back-hor folks, the government members understand perfectly well who mean. So if there is anything, there is a disincentive for me to ely heavily on the Oxford English and perhaps a little more on he Studs Turkel.

In any event, we are talking about the nature of the beast. We are talking about what insurance companies are all about. We are talking about the fact that—and again, this cannot be lenied—they are there to make money, as much money as posible in any given period of time. How do they make it? They make it by picking the pockets of drivers, and if worst comes to worst, by grabbing them by the ankles and shaking every last tickel and dime out of them by way of premium payments. They make it by investment income, and the third quarter of 989 shows that they are not bad in that area, and they make it by denying payments to claimants. Ms Crawford is an illustration of that. The fact that there is a defence bar in personal nijury litigation is a testament to that.

Let's talk about the role of lawyers and legal costs and cknowledge that, at the most, three per cent of all personal njury claims end up in litigation. Let's understand why they are here, why they are in litigation: because the insurance comany will not pay out. There is no other reason for it: because hey will not pay people what is rightly theirs. If you want to alk about a system that is going to generate litigation, all you have to do is take a look at Osborne—and we all know the valuable job that he did in analysing threshold insurance—and ealize that, as he pointed out, a threshold system like the liberals are trying to pass off on to the people of Ontario—and gain, I appreciate that we should not blame the Liberals alone or this legislation.

**Mr Cousens:** Oh, come on. What do you mean by that?

Mr Kormos: No, we should not. They are but the lackeys of the insurance industry. They are only doing what they are old. They did not dream this stuff up. So if there is real blame, iltimately it has to go back to the insurance industry itself. The liberals here are only following orders.

**Mr** Cousens: They were elected to lead. David Peterson aid he had a solution to solve the whole thing.

Mr Kormos: I tell members this: David Peterson promised specific plan to reduce premiums. Now far be it from me to ay anything unparliamentary about David Peterson, but I will ell the House what the last 10 people I talked to in Welland-Thorold said. They say he lied when he said that back in Sepember 1987.

I was down in Chatham last night talking to the Chatham and District Labour Council, and we talked a little bit about David Peterson and his promise that he had a very specific plan o reduce auto insurance premiums. The people there said, 'Well, David Peterson's a liar." That is what they told me.

Mr Cousens: Did they say that?

Mr Kormos: They said that to me, and they said he lied when he promised they had a specific plan to lower premiums.

Interjections.

Mr Kormos: Murray Elston has been trying to distance nimself from the legislation. David Peterson certainly has. I nean, David Peterson has stayed so far away from the legislation. He is not here now and he never has been here when the bill has been discussed, and never will be. I guess we are nonoured to have Murray Elston sitting in perhaps for the afternoon, and whether or not we will see him again remains to be seen. It is the nature of the beast.

The auto insurance industry is there to make money, to generate profits. They have to do it by increasing the amount of money they take in and reducing the amount of money they pay out. It is as simple as that. They have to do it by being as inhumane as possible, by being as cold and as indifferent as possible. They do that real well too. They have to do it by creating the illusion among the public that they are losing while they are doing it. They spent a whole lot of money to create the illusion that they are losing money. They have been somewhat less successful in that regard because they simply have no more credibility in that respect. We are talking about the nature of the insurance industry, and why we wanted to talk about that was that we are talking about what this government, what the Liberals, what David Peterson and Murray Elston say about: "Well, we're going to make them toe the line this time. We are not going to let them get away with that stuff any more."

Once again, as I indicated earlier, the very acknowledgement of that makes it clear that even the Liberals know that an insurance company will screw you every chance it gets, or else there would not be a need for the Liberals to say, "Well now, we're going to make them toe the line from now on."

We know what the insurance industry's record is, do we not, Mr Chairman? We know what it is. I know you do when it comes to paying money out, and we know that it is atrocious.

Now we know what the government's track record is when it comes to consumer protection. How many people, through how many members of this Legislature, have prevailed upon the superintendent of insurance to come to their aid when they were being gouged, when they were being beaten, when they were being battered, when they were being bashed by an insurance company—tens, dozens, a score, hundreds? I tell you thousands, Mr Chairman. You know that. You have been here a long time and in the period of your time here, you were here with my predecessor Mel Swart. During that period of time literally thousands of people came to the superintendent of insurance saying, "Please intervene on our behalf" because the insurance companies were regularly engaging in the process of driver-bashing and victim-bashing, and they have not stopped.

What is the government's track record when it comes to protecting drivers, consumers, against the very wealthy and powerful automobile insurance industry? It is pretty pathetic, because for as many people who prevailed upon the Minister of Financial Institutions or the superintendent of insurance to please help them fight back against an insurance company that was bashing them, beating them, battering them, gouging them, for as many of those people who sought help, wrote letters saying essentially, "Too bad, so sad, you're on our own."

That was not just five years ago, it was not just four years ago, but it was three years ago, last year and carries on this year. That is the approach of the government. That is the approach of the superintendent of insurance, the most ineffective, pathetic apology, excuse for a watchdog for consumers that anybody anywhere has ever seen.

#### 1650

When you get down to the role of the consumer, you cannot help but reflect on the contribution that Ralph Nader made to this whole debate. I know that that contribution was not welcomed by everybody. Indeed, back on 8 January 1990, the Minister of Financial Institutions, the person whose name is on this Bill 68 and is presenting it at the request of the Premier and ultimately, not at the request, I am sure at the insistence of the insurance industry. We will talk about that a little bit later too. How is it that the insurance industry can get away with not just

requesting, but with insisting that a certain bill be presented and passed? It is an interesting relationship that has to be examined.

This is what Minister of Financial Institutions says, and he says it in the most disparaging way. Ralph Nader was not there that day, Ralph Nader was scheduled to appear in front of the committee. Indeed he appeared a week later, on Monday 15 January. He came up from Washington, Ralph Nader, one of the world's leading consumer rights advocates, no two ways about it. If anybody wants to suggest anything other than a pure motive on Nader's part, say so inside or outside.

What does the Minister of Financial Institutions have to say about Ralph Nader? Again, knowing that Nader is going to be here a week hence, on 8 January 1990 the minister has this to say, in the most disparaging tone of voice. You should have been there. It was incredible: The curled lip, the flared nostril, the tone of disdain and the slightest tone of fear. There was the tone of fear in his voice as well, but you had to listen very carefully to hear it.

The minister says: "Next there is Ralph Nader. He comes to Canada to tell us that we do not know how to direct our own affairs"—a cheap little appeal to chauvinism there—"that our policy is somehow un-Canadian." The minister does not deny that it is un-Canadian, he simply says that Nader is suggesting that is un-Canadian. "Then he"—Nader—"admits he does not understand our system of universal health care, nor does he understand our commitment to providing a social safety net for our citizens."

Mr Chairman, Ralph Nader showed up on 15 January. Let me tell you what Ralph Nader had to say, and let me tell you this, the Minister of Financial Institutions was not there to confront him dead on, head on.

Mr Cousens: He was only there once during the whole presentation.

Mr Kormos: The Minister of Financial Institutions was only there once during the whole presentation. He went there to dump on a whole bunch of people and then disappeared. He was in the bunker. I have to tell the minister, through you of course, Mr Chairman, he had disappeared, gone off the face of the earth. The public was rising up mad as hell about this legislation and I thought for the briefest of moments, with some concern and curiosity, that perhaps the minister had gone into a witness protection program—a new identity, a new appearance, a new persona and a white picket fence and a small bungalow somewhere in a different part of Canada—that perhaps the impact of the response of the public to this legislation had forced him into that.

Let me tell members what Mr Nader had to say about this legislation a week after the minister says what he does about Nader, that Nader does not understand our system of universal health care. Mind you, Ralph Nader comes from the United States. He is one of the experts on insurance. He says, "First, I would like to indicate the interrelationship of the issues before this committee and similar issues in the United States and hope that some of the experiences in the United States can be helpful."

That is not an inappropriate thing for Nader to have said or an inappropriate observation for him to have made because, what did this government have the Ontario Automobile Insurance Board looking at when it referred three threshold systems to the board? It had the OAIB looking at three specific American systems, so it is not inappropriate for Nader to suggest that one should utilize the American experience when one looks at and regards and analyses what is happening in Canada. Nader went on to say, "I also want to indicate that what happens here in Ontario, I am sure, will be replayed in a number of state legislatures by insurance companies, especially American insurance companies that are operating here in Ontario." Again, this is not an inappropriate thing to say, because it is also sadly true. We saw some of them who dared wave their flag at the committee. More than a handful, more than a small chunk of the auto insurance industry that is being served and serviced by this legislation is indeed an American auto insurance industry.

Nader goes on to say this: "There is quite an interrelationship in terms of what happens in each of our jurisdictions. Certainly, I have seen enough state legislative hearings citing Ontario and British Columbia, and I hope that my remarks will be considered in that broader context."

Nader does not come here trying to tell Canadians how to run their affairs. Nader comes here telling us in Ontario that Ontario's experiences and British Columbia's experiences have been cited often enough in the United states, one, for him to be familiar with them, and two, for him to be aware that what happens here in the province of Ontario is going to have an impact on what happens in the United States.

We recall that on 8 January, the Minister of Financial Institutions said that Nader did not understand our social safety net. Nader on 15 January goes on to say this: "Second, it does seem clear that any discussion of insurance and motor vehicle accidents inevitably extends to an inclusion of issues of justice and fairness for injured people, which means the legal framework or the legal system of rights and remedies."

Mrs E. J. Smith: On a point of order, Mr Chairman: The Chairman who previously was occupying the chair expressed the opinion that since people seemed to want to make a very brief statement of their positions, he would allow that, although it was not the general thing, and that these brief statements could be generally made by everybody present. We have since then had a half hour's speech—

Hon Mr Elston: More than half hour.

Mrs E. J. Smith: —more than half hour, which certainly is not making that kind of a brief statement in any way, and it is not the intention of the last Chairman.

Mr Philip: On a point of order, Mr Chairman: The membe has not told us which section of the standing orders she har risen on, and I would certainly have no way of responding to her point of order unless she identifies which of the standing orders she intends to raise her point under.

Mrs E. J. Smith: It was in my listening to the Chairman as he stated his case. He said that what he was going to permi was not specifically allowed in the standing orders but he would permit each person to make a brief statement and allow that to go around the House. That was his intention in allowing some thing of this type.

Mr Kormos: Mr Chairman, if I may respond to that poin of order, it was at my request that the Chairman provided tha direction. I recall the request and I recall the direction that he provided, and indeed I am being very careful. I am very cognizant of the fact that the Chairman said "brief," and so I an being most careful to be as brief as humanly possible. Surely the Chair or any other member is not inviting me at this point to change my address from brief to a long one.

I will tell you, Mr Chairman, I will continue to be brief as have, but there are some things that just have to be said at the

onset. That is why the Chair, in his wisdom, permitted this and indeed provided direction. I am being brief. That is my comment on the point of order.

#### 1700

Mrs E. J. Smith: On that point of order, Mr Chairman: I simply accept his agreement that the Chairman ruled that it would be brief and that all people would be allowed to speak briefly to that point. I will let others be the judge of whether they consider this to be brief.

Mr Mackenzie: Well, he did not define "brief." It is just that the government does not—

The Second Deputy Chair: Well now, it is Thursday afternoon, only an hour to go. Let's be patient. I spoke with the preceding Chairperson who will be present again shortly and we discussed this matter at some length. There has been in the past a precedent or two where opening remarks are difficult to evaluate in terms of brevity and, for the time being, will allow the honourable member to continue with his brief remarks.

**Mr Kormos:** I lost my train of thought, I am going to try to collect it. Here I was.

Mr Mackenzie: Could you start over?

Mr Kormos: No, I found where I was.

What we were doing was juxtaposing the comments of the ninister and the comments as they reflect the attitude of the government obviously, juxtaposing those with what in fact was

said. Sometimes that is so horribly important.

Mr Nader indeed was here. He talked about "a

Mr Nader indeed was here. He talked about "an inclusion of ssues of justice and fairness for injured people" and said: "It also involves overall broad auto accident prevention policy of he same jurisdiction. You really cannot separate any of these hree from one another."

What is interesting about that is that the minister and the government have tried to jump on that bandwagon—the minister who would appear to want to reject what Nader says, "You really cannot separate any of these three from one another," nuto accident prevention policy as being part and parcel of a system.

We are going to get to that because I am going to talk about PRIDE as well, People to Reduce Impaired Driving Everywhere. I am going to talk about Jock Shields, a driving instructor from the London area who made submissions to the standing committee on general government.

Nader talked then about the contrived insurance liability

crisis in the United States starting in 1985. He says:

"I have been been very concerned about policymakers aking too narrow a focus on the more immediate perceived argency of insurance rates, without getting down to the fundamental cause of claims in the first place, the rights of injured beople to protect themselves as a consequence of their injuries, as well as the administrative process in the courts and regulatory agencies."

It was a wonderful and enlightening analogy that was given by Nader at that point. If you had been there—perhaps you were, Mr Chairman—it was not only enlightening, it was enteraining. It was a treasure to watch and listen to. Not only were you not there, but also the Minister of Financial Institutions was

He said, "If this committee"—he is talking about the general government committee, and he came all the way up from Washington to talk to us, to shed some light on our problems, granted, from his perspective. He said:

"If this committee, for example, were considering the damage done by leaking of water in homes in Ontario and the focus was entirely on, 'How do we pay for the damage, how do we pay for the subsidence, how to pay for other expenses?' obviously we would all be asking: 'Why don't we focus on the cause of the leak? Why don't we deal with prevention as a top priority?'"

Could anything be more pointed? Could anything be more simply stated than in that example by Nader? He states, and again this is his personal view and that is fair: "I have always seen the insurance function as being more than a compensation function. It is very much a function to be used for determining risks, ranking risks and generating disincentives for reckless behaviour. That starts with the design of the automobile." How many Ford Pintos do we need to know that is true?

It starts with the design of the automobile, the design of the highway. Do the people who live up in the Ottawa area need any more proof to know that there are highways in their area that are a significant factor as a result of ill design, any other number of reasons, a significant factor in great amounts of bodily injury and indeed death? Do people in the northwest of Ontario need any more evidence, any more data, to convince them that the design and structure of certain highways in their part of the province are significant contributors to a sad and massive amount of bodily harm and indeed death?

Design of the auto, design of the highway and the behaviour of drivers, as well as the traffic mix: "Any package dealing with auto insurance rates, if it is going to avoid the accusation of being a Band-Aid, must start with a policy focusing on prevention. That is not just a government policy in terms of regulating the auto industry; that is also very much an insurance industry policy that should be paired with its underwriting and compensation functions."

He goes on to talk about a 10-mile-an-hour bumper and he indicates that "a 10-mile-an-hour bumper would probably do more than any single factor other than airbags to cut down on the claims in the auto insurance area, certainly for property damage," and of course airbags for personal injury, bodily injury.

He says that we must ask ourselves, the committee must ask itself: "What is the legislation proposed before this Legislature doing to, first, signal to Ottawa to move more quickly in establishing crashworthy standards for cars? Airbags are ready to go, but they ought to be accelerated in terms of standard equipment. In the United States, three million airbags will be produced this year on the driver side of new motor vehicles. Twelve insurance companies are giving insurance discounts for airbag-equipped cars, ranging from \$30 to \$60, and that will go up as more cars have airbags as standard equipment."

How could that bit of information, very American—what he said was that three million airbags are being manufactured and hence installed in new cars in the United States this year. Twelve insurance companies are giving discounts of \$30 to \$60 and that figure will go up for persons who drive or operate cars with airbags in them, acknowledging that airbags are a significant factor in reducing bodily injury and death.

It is an American experience. Fine, but is there anything so endemic about it that makes it of no value here, or more significantly, that warrants having the Minister of Financial Institutions subject it to his disdain? Of course not, and that is what the disdain was all about.

He says, "So the signal from the province, since I understand you cannot set auto safety standards at the provincial level, should be to the national government to accelerate its

crash prevention and injury prevention standards. The same holds true for bumper standards. At the provincial level, certainly the stronger regulation of fraudulent, duplicative, unnecessary repair practices is in order."

Nader did his homework. He had obviously paid more than trifling attention to at least what the government had been talking about for some chunk of time. He obviously heard about the announcement about ghost cars, not quite like ghostbusters—ghost cars. We know what ghost cars are when it comes to mechanical repairs. That is where somebody from the ministry takes a car and, let's say, puts a bad sparkplug wire in it, one where the carbon or the copper is broken, so that plug is not firing or it is firing sporadically.

You take that car to the shop and you say: "My car's not running as well I think it should be. Fix it." The shop that charges you for a major tuneup and replaces your battery and replaces the radiator and all those sorts of things presumably is fingered and due process has its way. That is easily enough understood, how a ghost car can be effective in detecting fraudulent motor vehicle repair people.

In the context of insurance claims, one has a little bit of difficulty. A windshield is either smashed or it is not. A fender panel is either crunched or it is not. I have seen fender panels crunched, and automotive repairs are expensive. Most people would think, at first instance, that they are expensive because auto body repair people charge what they consider fair rates. Perhaps some do not consider them fair rates.

#### 1710

Getting back even to the design or the model that Nader would have us approach things from, we understand that a big contributor to the high cost of auto body repairs is the whole approach to design and construction on the part of the automobile manufacturers. It is not difficult for auto body repair people to pinpoint or to finger a car that is less repairable than a car that is more repairable.

Nader may have touched a nerve when he started talking about Lloyd's of London. Nader may have touched a nerve there with some of the members of the government. There may be some members of the government who are investors with Lloyd's of London. There may be some members of the government who own Lloyd's of London stock. Nader then may have touched a nerve when he mentioned Lloyd's of London, because he fingered and pinpointed Lloyd's of London as being a company which, in Alaska, made 21 recommendations which spelled procedural and substantive weakening of the civil justice system in terms of injured people, preventing them from achieving adequate compensation.

He talks about how the United States looks to Canada for leadership, how it traditionally has looked to Canada for leadership in social insurance and social welfare advances, how Americans acknowledge us as being far ahead in those areas. Then he regrets how in this instance, rather than setting an example, we are merely engaging in that same lockstep, following suit.

He talks about "a certainty of taking away rights on the one hand, but not a certainty of reducing the rates on the other." He acknowledges that there is nothing in this legislation that is going to reduce premiums, but that there are a whole lot of things in this legislation—

Interjections.

Mr Kormos: We are going to talk about public auto insurance. It is imperative that be discussed. We will get around

to that. We are going to get back to Nader in a few minutes. The reason we have to talk about it here is that we pleaded with the government, when it had the Ontario Automobile Insurance Board analyse the three American threshold systems—do not forget, Mr Chairman, and you know this for a fact, the Ontario Automobile Insurance Board rejected threshold no-fault, rejected the very type of system the government is proposing now, saying that the injustices it creates are far greater than any benefits to be derived. The government's own Ontario Automobile Insurance Board said that.

While that board was sitting it was costing taxpayers literally millions and millions of dollars in Ontario, only to have none of its recommendations either accepted or even heeded, even regarded, because what was happening was that this government, the Premier, the insurance industry and the Minister of Financial Institutions were conducting a clandestine study with a secret agenda contemporaneous with the multimillion-dollar operation of the Ontario Automobile Insurance Board during the course of 1989.

The government's agenda was to establish a regime of threshold insurance in this province whether the drivers of Ontario wanted it or not, whether the victims of Ontario wanted it or not, whether the taxpayers of Ontario wanted it or not. Why? Because the insurance company wanted it real, real bad. This clandestine study involved some \$250,000 worth of actuarial studies which were kept secret, which were not made available to Kruger and the Ontario Automobile Insurance Board, which were not made public to the standing committee on general government and its members and the witnesses appearing before that committee.

We begged the government to let Kruger and the Ontario Automobile Insurance Board examine the impact of a public driver-owned, nonprofit automobile insurance system here ir Ontario. In question period inside the House, and outside the House, we prevailed upon the minister to let that board do some real work, to let them analyse the implementation of a public driver-owned, nonprofit automobile insurance system here in Ontario.

This is where I have to be careful. I want to help out some of the older members because some of the older members of the Liberal benches are still stuck in some of the old arguments.

Let's look at what the Minister of Financial Institutions said about public insurance. He said it on 8 January 1990. He said the government rejected the option proposed by the Nev Democratic Party. He did not acknowledge that they did no investigate it; he said they rejected it.

**Mr Faubert**: With great reason.

Mr Kormos: Let me tell the member what the minister' reasons were, and if he wants to read along with me he should pull out his general government Hansard for 8 January 1990. This is what the Minister of Financial Institutions said on January 1990:

"There was another option which we rejected, one which have Democratic Party has advocated, and that is the establishment of a public insurance system. Some argue that government-run auto insurance monopoly would solve all our problems. But in fact its creation would cause massive disruption and dislocation in an industry which currently employ some 40,000 people in Ontario."

That is the minister's reason for rejecting public auto in surance. No longer is the government saying, "Public auto in surance does not provide cheaper rates," because the government knows full well now—

Mr Faubert: Read the whole thing.

Mr Kormos: Wait a minute. Mr Chairman, I have just een asked to read the whole thing, so I will. I will start with e beginning.

The First Deputy Chair: Order. Just take a seat for a moent, please. I did note at the beginning of the proceedings this ternoon that the House was struggling somewhat, reaching for bints of order. It seemed to me the obvious thing would be to the House do what it wants to do. It obviously wants to state them things. That would be quite fair if members were succinct their opening remarks, made a few brief remarks and verybody had his turn. It seems to me the House would then two accomplished what it set out to do. It would not however be fair to let one member speak at great length.

I am going to ask the member for Welland-Thorold to wrap up in another minute or so. I see other members who are axious to participate this afternoon and I would like to let them occeed. Perhaps the member could give us another minute or and wrap up. There will be lots of other occasions during the burse of these deliberations when you can speak to your little eart's content on each clause of the bill. So if you would not conclude your remarks, we would like to move on to ome other members.

Mr Kormos: With respect, I defer to the Chair's ruling. I o not agree with the Chair's ruling and I feel badly about the hair's ruling. I think people in Ontario might be inclined, gain with respect, to agree with me, but the Chair is the Chair.

I do not understand how people across the way could ask e to read the whole thing. If they have problems with that, we in either get bigger type or we can do some remedial training ter six o'clock.

What we were talking about was how the government chose criticize public auto insurance, not because it did not provide wer premiums—the government does not say that any more. In the most ill-educated backbenchers would ever say that did they would be in conflict with the minister. The government does not reject public auto insurance because it says it is not more efficient; it knows it is more efficient. The Ontario overnment's own studies show that it is more efficient. The test the Ontario government paid for show that public auto surance, as in British Columbia, is more efficient.

They are in no position now to talk about subsidies because ill 68 creates the most incredibly subsidized auto insurance gime that surely any jurisdiction has ever seen: \$141 million taxpayers' money in the first year alone; \$823 million off the oken backs, the fractured legs, the fractured arms of innocent jured victims; almost \$1 billion of subsidies in the first year one for an industry that is already making big profits; in 1989, offits it had not seen in over seven years, record profits in ght years. And this government wants to roll over. This overnment wants to bite the canvas. This government wants to row the fight. This government wants to sell out every driver, ery taxpayer, every injured victim. This government wants to use its power as a majority to pay back this unholy debt to the to insurance industry.

20

Individual members of the committee finally conceded that ey took campaign contributions as low as \$750 and \$1,000 cm auto insurance companies. They say, "Do you really think e would roll over for a mere \$750 or a mere \$1,000?" My sponse is, maybe they are right. Maybe the government embers' thresholds are somewhat higher; it takes more than a

mere \$750 or a \$1,000 contribution to get them to sell out drivers and victims and taxpayers.

So the question is, how much did they pay government members? The question is, what do they have on them? The question is, why are government members so beholden to the auto insurance industry? Why are they prepared to listen to the master's voice, to jump when they say jump, to pass legislation when they say pass legislation, to share secret information with them when they will not dare share it with anybody else? They know what it means: it means big profits for the insurance industry, earned on the backs of innocent victims.

We have said it before and we will say it again: the insurance companies are happy as pigs in a barnyard about the prospect of this legislation being passed. From their point of view, this is perfect legislation. They could not ask for anything more. What a wonderful world this will be for the insurance industry, the private, corporate auto insurance industry, the Liberals' best friends. The Allstates of the world are ever so grateful to their Liberal servants. The Allstates of the world are ever so appreciative.

The problem is that government members have sold their souls, and I do not know how many pieces of silver it is. None of us wishes that anybody would ever suffer at the hands of a negligent or a careless or a drunk driver. We know that this insurance bill, this legislation, was not designed to protect consumers. It is the farthest thing in the world from consumer protection. It was not designed to reduce premiums—the farthest thing in the world. It was not designed to enhance compensation and benefits for innocent injured victims—the farthest thing in the world.

It has one purpose only, and that is what makes this whole process so obscenely evil—it is sadly and obscenely evil—the fact that this government has refused to address the issues; the fact that this government has obfuscated as often as it can and as frequently as it can and as thoroughly as it can; that it has misstated the reality of things day after day after day after day; and that the consultation has not been with committee, but the consultation has been with the insurance executives of Bay Street or London or Guelph. The consultation has not been with the head-injury people and it has not been with the psychologists and the psychiatrists and the therapists of Ontario, but it has been with the insurance industry.

The consultation has not been with the convocation of the Law Society of Upper Canada, one which I noted—it is my understanding that the Attorney General is a member of convocation—soundly rejected this legislation. The convocation of the law society, a body to which the Attorney General of this province belongs, soundly condemned Bill 68 and this legislation, saying that it is discriminatory, that it is unfair and could never be tolerated by fairminded people. That a body to which the Attorney General himself belongs would say that warrants more than merely raised eyebrows.

The clause-by-clause consideration of this bill has to be done thoroughly. There is not a single clause, not a single phrase, not a single section, not a word of this bill that can be looked over speedily, that can be passed hastily, because this legislation will hurt more people for far too long and will have such a horrid impact on innocent victims.

This is legislation that the government has tried to market. The veneer has worn not only thin, the veneer has worn off. People see this for what it is and the reality of it is that people will not forget what this government is doing to them now. I do not care whether the election is this fall, next spring, next summer or the fall after that. There are some people here who do,

but I do not care when it is. The people of Ontario, if the Liberals persist in this obscenity, will not forget that at election time. I can promise the members that is one promise that can be kept.

The First Deputy Chair: Are there other members who wish to make brief introductory remarks?

Mr Cousens: I think we have come to a definition of what brevity is. My honourable friend the member for Welland-Thorold has had an opportunity to put on the record some of his thinking in his brief remarks and I would hope the Chair would be as indulgent with me in my brevity as well, inasmuch as we are really being cut short of time right across the province to deal with an issue that has such far-reaching implications that it will touch upon all the people of our province in one way or the other. It has to rate as the most important bill before the House in this session. I suspect it is going to take us a little while to really understand all its implications.

The government would call brevity something that would say that if it could get it done this afternoon, it would be happy; it would be passed. Somehow or other, when you consider the hundreds of presentations that were made when the committee toured the province and those received by all of us in the mail and the presentations that have come to us through public meetings in our own ridings, I have to say that in my own riding we had key presenters from the auto insurance industry; I had one from a professor in economics and law from the University of Toronto, a presenter who gave that viewpoint. I had another person who went for complete no-fault insurance and then I had another one from the insurance industry, a cross-section of people giving different views.

There was no doubt at the end of the evening that the people from the audience who had heard those presentations were concerned and worried and not all their questions had been answered. I think that through the debate in this House, since there is no further time to go around the province or to do it in committee, as we tried to do it, we are now forced to take this in a very careful and deliberate way.

Bill 68, the Insurance Statute Law Amendment Act, was really something that had to be on everyone's burner as a subject of great importance. As I touch upon my 10 key points that I would like to raise, the first one has to do with the way the government has reneged on its promise of lower automobile insurance rates. First of all, let's all realize that automobile insurance rates really started to go out of control several years ago and it was not just as if we had a small problem. It was something that was addressing young people looking for their licences. Car insurance was becoming prohibitive. I had people in my riding whose automobile insurance rates were reaching such a point—\$3,000 or \$3,600—and had gone up to such a level that something definitely had to be done.

I think there was a consensus in this House that this was an issue that just could not be allowed to sit on someone else's back burner and that we as legislators were going to have to get involved. Unfortunately, there is no one easy solution as to how it could be resolved. Some people might have thought that government should get involved in a very big way. That would probably be the position of the New Democratic Party because, as my very good friend from Welland-Thorold has said—but also his predecessor, who was one who also had a compassion and an understanding for the people of Ontario and the high cost of automobile insurance; he was probably one of the first people who really captured this issue and said, "I am personally going to do something about it." The fact is that now there are

many others who have come to realize it. It is no surprise be cause the fact of the matter is we had a problem, we still have a problem and what the government is proposing in this legislation creates more problems. It is a matter of trying to find a solution to it.

#### 1730

The breach of faith, where the trust was broken and tha began the solution that is being proposed in Bill 68, was the statement made by the Premier of Ontario in September 198, when on a campaign stop in Cambridge he said he had "a very specific plan to lower insurance rates." There is not a person if the province who would not have appreciated the goodness of that statement, because if he had that solution, if he actually had a way of doing that, we would not be here today after two years of discussion and deliberation and trying to come up with some kind of a solution.

He did not have a specific solution to solve the insurance cost. Had he had, Mr Chairman, you would not have to be listening to me right now or the previous brief speaker, no would we have had to have committee hearings going across the province trying to resolve this issue.

May I suggest to you that it will not be resolved with the 36 amendments that the government is coming forward with; it is not about to be resolved with this bill. We need to have a fresl approach to it and I have to say we are so far from that solutions

When I say that we want lower insurance rates, that i where it started. The government in four different instances since it made that promise in the form of the words of the Premier of the province on 7 September 1987, has had four rat increases—not one or two. The rate increases have continued to grow. So on 1 January 1988, the rates rose by 4.5 per cent and then several months later, on 1 August 1988, the rates rose by 4.5 per cent. In one year they had gone up by over nine per cent A third increase of 7.6 per cent was hiked on 17 April 1989 Under Bill 68, rates will rise by eight per cent, on average, i urban areas.

The minister has been purposefully vague on the term of what "on average" is. On average really means that if you tak the broad cross-section of people who will be applying for their automobile insurance, there will be some who have a lower rat than eight per cent, but some could have as high as a 40 and 5 per cent increase in their automobile insurance rates in Ontaric It is not based just on their driving record. It could now well be based upon the cost they paid for their car. It could be based of other factors outside of this.

Also it has to do with the Facility system, where peopl who will not be covered by insurance companies are going t be forced to go to Facility Association insurance. That means n insurance company is covering them in the same tradition way in which they had hoped they would be covered. They all now going into an umbrella group where the prices are excessive.

So when the government says it has a solution to low automobile insurance rates, we in the Ontario Progressive Corservative Party cannot accept that statement that was made by the Premier back in 1987. It was not a statement based on fact He did not have a solution. What we are seeing now is a pepetration of something that is not acceptable to us and we wifight it. We will fight it with every piece of vigour that we can.

When I look around and I see a government that has solution for something, I look for it. After two and a half year the looking continues to go on because what we have before the House in Bill 68 is not the answer. I guess to me there are some

cople who are happy with it, because if there are people out ere who will have a reduction in insurance rates, that would good if that was really going to be the coverage they used to ave, but as we know, this is not going to be coverage that gives bu continued protection. There are so many flaws, there are so any holes in this insurance that we are going to have to look the fact that not only are they going to be paying more, they be going to be paying more for less coverage.

When I talk about a government reneging on a promise, this one of the major and fundamental concerns that the people of e province of Ontario have of politicians as a whole. If there anything out there, when people look to a politician they are tying: "Oh, well, you say one thing and you do another. Ou're out of power and you'll say that you're going to do mething, and when you get into power you then come along ind do quite the opposite."

I am sensing a ground swell of disfavour on the part of cople across the province who are saying, with a tremendous muse of frustration: "What are politicians elected for? They tem to be going in there. They'll do anything to get elected and when they're elected they will come along and do the very prosite."

That is exactly what the Premier did when he said he had a lution to auto insurance rates in 1987. That is one of the most portant breaches of faith, which concerns me and so many cople in this province, the Premier, who said he had that solution. That is something that cannot be forgotten. He did not ave a solution and the people of Ontario will not forget that, ad I am not going to let them forget it. Anyone who is listeng in right now needs to remember the fact that politicians, hen they are elected, should have the credibility and the bresty and integrity that if they are going to say something fore they are elected, then once they are elected they are bing to live up to it and not just play it down.

The other honourable members in this House—I really have lot of friends who are in the other parties. The fact is when ou are—

#### An hon member: No names.

Mr Cousens: No names. I used to think I had a few iends. I guess they are only Tories and there are not a lot of em here to listen to my remarks. I am not going to ask for a low of hands, but let it just be said that all the people of ntario need to have is one voice standing up there to tell them e truth and they are going to listen to it. The truth of the atter is that something was said by someone on that Septemer day that was not true. Therefore the people of Ontario have reason to say, "I don't trust politicians." When someone does at, it gives all of us a bad name.

The Premier, in coming forward and making that statement, ad in a sense given hope, and now what we are seeing is a ppeless situation in which he has not come up with the kind of medies he said he had. Do not think the people of Ontario will low the Liberals to forget that promise, because when the members come up for the next election—assuming it is in the ot-too-distant future—they will be reminded of that by the reat majority of the people in the province of Ontario.

I have to say that one of the things that has happened—it is coincident with my first point, where the government has total-vereneged on its promise of lower automobile insurance rates—that the government's bungling of automobile insurance has eally cost the taxpayers dearly. If the Premier had had the polution when he said he did on 7 September 1987, they would

not have had to spend something like \$20 million to find out that they really did not have the answer.

The government since then has commissioned a number of studies. It commissioned one in 1986, before that, by Mr Slater and then there was the one in 1987 by Justice Coulter Osborne. These were important studies on the automobile insurance industry and something that tabled information and data that were well founded for people to work through and understand what was being said. In fact, when you start looking at the contents of those reports you begin to realize that the government has failed to act on the recommendations that it paid so much for.

For instance, the report that Justice Coulter Osborne presented, called the Report of Inquiry into Motor Vehicle Accident Compensation in Ontario, cost Ontario taxpayers more than \$1.4 million, yet the government failed to act on the 174 findings and 147 recommendations aimed at improving the delivery of accident compensation.

One of the recommendations by Justice Coulter Osborne was, and this is significant when you realize the kind of no-fault insurance that the government is proposing in Bill 68: "Threshold no-fault should be rejected because it is relatively inefficient and unnecessarily arbitrary. There will either be no or minimal savings on transaction costs in threshold no-fault."

#### 1740

Is that not something? You have one of the most capable, qualified of people join together the resources and information to assist the government in understanding the issue. One of the fundamental recommendations that is made by Justice Osborne is simply that threshold no-fault should be rejected, and yet what happens? The Premier and his magic little wand that he had, where he had a remedy, comes out with it.

There is so much evidence that the very kind of insurance being proposed under Bill 68 for the province of Ontario is in fact not the way we should be going. Not only have we had two major commissions; we have also had 39 separate economic and actuarial studies in the last two years. However, not one of these specifically recommends the type of system set out in Bill 68.

I ask, how come? Why it is that the government will go ahead and have all that research done, do all that digging, find out all that information and not follow those recommendations? Who would want to be anyone on any kind of advisory committee to a government like that?

There must be a tremendous amount of frustration with these people unless they got some good money out of it. I will tell you, ladies and gentlemen, members of the House, that is exactly what happened. It is kind of nice to come along and spend the taxpayers money, spend close to \$20 million trying to solicit all these views, hoping that someone will come back with the kind of thing they are hoping for and put it into legislation. Well, none of the 39 recommendations came back with the very thing we are looking at here in Bill 68, and that does not make sense. One of the major recommendations that came through said, "Don't do it." Why spend their money asking for all this advice and not follow any of it?

It is just that kind of wasteful spending of government money that has caused a tremendous amount of unhappiness with the people in the province of Ontario. There is a sense in which there is no one looking after the purse-strings in the province of Ontario.

Could I get some more water, please, from one of the pages? I have been holding this glass empty and there is no one here to ask to get it for me. Would someone be so kind?

Mr Philip: A little bit more chlorine in it for the member.

**Mr** Cousens: A little bit more chlorine for the honourable member; that is right.

My third point has to do with the government's plans to implement threshold no-fault car insurance despite the damaging criticism levelled against it just all over the place. I would say that the most damaging evidence against this report comes right out of the Osborne report itself.

We have read that report and I would like to put on the record just one of the conclusions from the report in volume 1, page 3, where Justice Osborne said, "I have concluded that aside from the provision of a modest degree of additional stability for automobile insurers, cost/premium decreases would be modest were we to proceed to threshold no-fault and those modest cost savings would be imported on the backs of over 90 per cent of injured Ontario motorists who now have the right to seek noneconomic compensation."

Is that not something? Who is going to be saving on the whole new process of automobile insurance that we are about to have? It is going to be on the backs of the injured. It is going to be on the backs of the people whom we should be protecting and helping, and that is not insurance. When a person has insurance, it is to protect him from disability and from financial hardship.

Insurance is something that we buy to protect ourselves and our neighbours. It is a sense of protection from liability. I do not pretend to be an insurance expert, but I know that I believe in it. I have it on my car, on my house and on my life. I believe we should all be looking out to protect ourselves from that eventuality, yet here now we are about to have a new form of protection that we are calling insurance protection that does not begin to give the traditional help and support we have come to expect with insurance.

Maybe that means that as a Legislature, we should not allow the government to leave this title of the bill as it is, An Act to amend certain Acts respecting Insurance. I mean, it ceases to be the kind of coverage that people have come to expect with their automobile insurance.

One other statement that came from Justice Osborne: He said in volume 1, on page 4, "Having looked at a great number of compensation systems, in the final analysis, it seems to me that while our system is far from perfect, Ontario should be an exporter, not an importer of compensation systems."

That really means that we are in a position to develop our own model for insurance coverage in this province, using our own skills, our own people, our own experience. We could make modifications to the system in order to allow for continued protection, find ways of reducing the cost of tort, find ways of protecting people and then find ways of reducing some of the high costs associated with those who have to go and have a fender-bender repaired, find some ways of limiting the amount that can be claimed in a lawsuit and ways of allowing the courts not always to be involved in some of the differences. There are ways in which our existing system could be modified and changed.

But they have not been addressed, they have not been looked at, they have not been touched. It is just that kind of concern that begins to be part of the expression of the hundreds of people who have come forward and said, "We don't like what Mr Elston is doing and what Mr Peterson is doing."

I have a summary of something like 15 pages and I will not read them into the record, but it is part of the presentation that was made through the different days in which we had public hearings where we had so many people who came in with their

claims of worry and concern. I would like to just put a few of them on the record and I want to watch my time because of the need for brevity on this.

The Advocates' Society on 10 January said, "The Advocates' Society firmly believes that Bill 68 is an ill conceived and unsuccessful attempt to relieve premium stresses for Ontario drivers." When we say it in the House, people say: "Oh you're just being partisan. You're just being a typical Tory criticizing the Liberal government."

There have been some things that they have done right. have to say that, and one happens to have been the continuation of the Markham Stouffville Hospital which opens next week. There are a number of good things that have gone on, and continue to be complimentary of those good things. I have thard time finding them, but the fact of the matter is, as we look at this legislation, it is one of the classic examples of what can be called ill conceived and unsuccessful attempts to solve a problem.

I would like to just comment on others. There are just so many of them. The Behavioural Health Clinic on 23 January identified four aspects of this bill that could hamper the rehabilitation process: threshold definition; guaranteed provision of rehabilitation; cap on long-term care, and cost-of-living provision.

I am not going to continue to read them all into the record because they are there and there will be an opportunity along the way for us to consider some of those points.

The fourth point I would like to make is that the govern ment would have the public believe that lawyers are driving up the costs of claims settlements. That is one of the things that habeen said by a number of the Liberals on the committee and in number of the rationales that have been made by the honourable minister.

But again, I suggest that if members look at the Osborn report, on page 363, volume 1, it outlines the progression o claims related to motor vehicle accidents through the courts. The report shows that in 1985 there were 232,207 third-part liability claims reported. Only 4,383 of these cases went to tria and only 3,755 proceeded through to judgement. That is just 1.1 per cent of the claims.

#### 1750

The point is that the government is saying, "We want to eliminate the high cost of the law in the way in which we are going to develop this new legislation." While they have don that—"they" being the Premier and the Liberals—they have come along with a methodology that not only is talking about the removal of lawyers from the process almost completely except in a new way that would be formed for five per cent of those claims which people will have another way of processing but also is talking about an approach that removes the rights of people to sue for what is actually their right.

The bill itself has grave problems with the way it is worded. In order to proceed with legal action, a person must die, i which case the estate would benefit, or the person must sustai "permanent serious disfigurement" or "permanent serious impairment of an important bodily function caused by continuin injury which is physical in nature."

That sounds kind of hard to read, and people who are looking on will be asking whether I am putting words into someone's mouth. I am quoting from the bill itself when it say that this is the test you have to follow in order to claim under the threshold no-fault insurance. If people are listening in, the should almost get a copy of the bill so they can sit and think an

ok at these words: "permanent serious impairment of an imortant bodily function caused by continuing injury which is sysical in nature." That is the test that must be followed.

The Minister of Financial Institutions, my friend the member for Bruce, is leaving everything up to the courts to interpret e uncertain language of the threshold. Therefore, we would ke to know, what is permanent? What is a permanent injury? It something that is going to have a certain period of time is sociated with it? Is it one year, two years, 20 years? It epends, if you are the victim. Is there not some degree of onsideration as to the permanency of whatever it is you have been through? Are we going to wait for an artificial limb? Are e waiting for a bionic something or other?

I have to say, if you look at the wording in which the test of threshold no-fault has been decided in this legislation, you live grave questions which only the courts will be able to etermine, and that is the definition of what permanency is. No he knows that. What is a serious impairment? By whose standeds are we going to know what a serious impairment is? How he we going to judge what accident has a serious impairment to

Is it going to be the courts? Is it going to be the insurance ompanies? Is it going to be the victim? I will just tell members is. At one of the presentations I had in my riding in Union-lle, after we had had the panel of experts make their presentation, a man came to the front of the room and took off his cket, rolled up his arm and showed a disability that had happened to him in an accident.

It was one of those startling moments when you wonder, My gracious, what is happening here?" I was chairing the esentations and this person wanted to show us his disability at he had had in an automobile accident. The fact is that he anted to know whether it was a serious impairment. On the unel that we had, we had an insurance executive saying, That's a serious impairment. You would be covered," and other person on the panel saying, "No, by our understanding the definition, that would not be a serious impairment." What a serious impairment?

**Mr Faubert:** That must have been a politician. The experts going to tell.

Mr Cousens: My good friend the member for Scarbrough-Ellesmere says that the experts are going to tell. That going to be interesting, because then even the experts are like bunch of lawyers who do not really know what they are going do, so you will get six lawyers and three will agree and three ill disagree, and on you go. The victim continues to suffer ithout a definition of his claim.

What classifies an important bodily function? I wonder that it is. In my mind, I might have one idea, but another will we another. Why have we not got a sense of what that is sing to be? Is it going to be declared by the victims, the courts the insurance companies as to what an important bodily nction is? That is implicit to what this bill is all about. If meone has a complaint with the legislation, he will have to me along and prove that his is an important bodily function at has been impacted by that accident. If they cannot claim at, they do not get any coverage, they do not get any protector. Again, this law proves itself to be inadequate to meet the teds of people who are in need of protection by having itomobile insurance.

Medicine has long accepted that there may be more than a hysical component to chronic pain. How is the term "physical" be described and defined? The threshold, as we have it

described in this definition that is prepared by the Liberal government of Ontario, prevents anyone suffering psychological, mental or emotional injury from seeking legal redress. The government is telling the public that emotional trauma, psychological trauma and the emotional devastation caused by an automobile accident are no longer worthy of compensation under the new plan. That is wrong.

I cannot accept that, because in fact we have come to an age today where we can accept, hopefully, in our society that mental stress and mental problems can often be as devastating to human beings as physical disease and physical injury. And for this government to come along and exclude any sense of relief for people who suffer any kind of psychological, emotional trauma and devastation is again a tremendous injustice. That is not going to be allowed. We will fight that and we will fight it to the end.

One of the most important and frequent serious injuries that happens in auto accidents is head injuries, and special behavioural or psychological problems can arise from this type of injury. Why is it then that during the presentations, when the public came to the committee, we had the Ontario Head Injury Association coming in and saying: "Do you understand what this is going to do? Do you understand how you are limiting the possibilities of those who have had head injuries to reclaim any of the kind of coverage that they deserve from those accidents?"

Persons injured in an automobile accident face increased litigation—one case to challenge the threshold, another case to settle the damages. It is just going to be case after case. On the one hand the government is saying it wants to do something to remove the whole involvement of the law profession, but I have to say, the problems with definition of what is an accident are part and parcel of the mistaken understanding of what it is really trying to do.

In fact, many people in Ontario do not realize that the Ontario system in Bill 68 is based largely on legislation that has been tried in Michigan. Ontario has followed their example and is incorporating the Michigan thinking into this bill. It has led to numerous conflicting legal opinions. To date, there have been over 1,200 different interpretations of the threshold as it relates to injuries suffered in automobile accidents in the state of Michigan.

So when we look at this, we really begin to understand that the government has taken one set of problems, in which there has been, I think, too much freedom to sue for everything, and then gone to another extreme and said: "In the future, if anyone wants to take action, they're going to have to sort of fit it into the new definition of what threshold no-fault insurance amounts to. Your injury must pass the following test: Is it a permanent injury? Is it a serious impairment of an important bodily function caused by continuing injury which is physical in nature?

That is a very limiting definition of the rights of a human being. In fact, that is probably what is going to happen. This legislation will end up in court as people test their rights that are being taken away—their own civil rights, their liberties as citizens and residents in Ontario—because they are no longer protected by all the rights they should have under legislation by this House. For a Liberal government that says it is compassionate to all people to become so restrictive in its definition is again to force upon us and all people of Ontario a sense of being limited in our ability to claim what is ours, limited in our ability to have protection as we should have it.

My sixth point has to do with the generous benefits of this new system. They are not as generous as the government would

have us believe. The level of no-fault benefits contained in the present system has not been adjusted since 1978. That was \$140 per week, maximum, for loss of income. The Osborne report recommended increasing these benefits substantially, yet the government has sat on these recommendations until now.

Mr Haggerty: Time.

Mr Cousens: But there is far more to be said in my brief introductory remarks.

The Second Deputy Chair: We will have another opportunity, I am sure.

Mr Cousens: I would be very pleased to have an opportunity. I think that if the government decides to continue with this bill, I will certainly be ready to speak against it and table further remarks about the problems it is going to have.

The Second Deputy Chair: And I will be here waiting to listen to your chosen pearls of wisdom.

On motion by Mr Elston, the committee of the whole House reported progress.

#### **BUSINESS OF THE HOUSE**

**Hon Mr Offer:** Pursuant to standing order 53, the busines for the week of 26 March is as follows:

On Monday 26 March, we will have debate on governmer motion 29, interim supply. At the conclusion of this debate, w will proceed with committee of the whole House on Bill 68.

On Tuesday 27 March, we will continue with committee the whole House on Bill 68.

On Wednesday 28 March, committee of the whole Hous on Bill 68. At the conclusion of Bill 68, we will proceed t second-reading debate of the following bills: Bill 108, An Ac respecting Business Names; Bill 106, An Act to amend Certai Acts with respect to Easements and other matters; Bill 107, A Act to revise the Police Act and amend the Law relating t Police Services; and Bill 96, An Act to amend the Highwa Traffic Act.

On Thursday 29 March, for private members' public bus ness, ballot item 37 standing in the name of the member for London South and ballot item 38 standing in the name of the member for Hamilton East. For orders of the day, we will cortinue with any previously unfinished business.

The House adjourned at 1803.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

dams, Peter (Peterborough L) llen, Richard (Hamilton West NDP)

allinger, William G. (Durham-York L)

eer, Hon Charles, Minister of Community and Social Services (York North L)

lack, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

ossy, Maurice L. (Chatham-Kent L)

radley, Hon James J., Minister of the Environment

(St Catharines L)

randt, Andrew S. (Sarnia PC)

reaugh, Michael J., First Deputy Chair of the Committee of

the Whole House (Oshawa NDP) rown, Michael A. (Algoma-Manitoulin L)

ryden, Marion (Beaches-Woodbine NDP)

allahan, Robert V. (Brampton South L)

ampbell, Sterling (Sudbury L)

aplan, Hon Elinor, Minister of Health (Oriole L)

arrothers, Douglas A. (Oakville South L)

harlton, Brian A. (Hamilton Mountain NDP)

hiarelli, Robert (Ottawa West L)

leary, John C. (Cornwall L)

ollins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

onway, Hon Sean G., Minister of Education, Minister of

Colleges and Universities and Minister of Skills Development (Renfrew North L)

ooke, David R. (Kitchener L)

ooke, David S. (Windsor-Riverside NDP)

ordiano, Joseph (Lawrence L)

ousens, W. Donald (Markham PC)

unningham, Dianne E. (London North PC)

ureatz, Sam L., Second Deputy Chair of the Committee of the

Whole House (Durham East PC)

urling, Alvin (Scarborough North L) aigeler, Hans (Nepean L)

ietsch, Michael M. (St Catharines-Brock L)

akins, John F. (Victoria-Haliburton L)

dighoffer, Hon Hugh A., Speaker (Perth L)

lliot, R. Walter (Halton North L)

Iston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

pp, Herbert A. (Waterloo North L) ves, Ernie L. (Parry Sound PC)

arnan, Michael (Cambridge NDP)

aubert, Frank (Scarborough-Ellesmere L)

awcett, Joan M. (Northumberland L)

erraro, Rick E. (Guelph L)

leet, David (High Park-Swansea L)

ontaine, Hon René, Minister of Northern Development

(Cochrane North L)

ulton, Ed (Scarborough East L) urlong, Allan W. (Durham Centre L) Grandmaître, Bernard C. (Ottawa East L)

Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L)

Hampton, Howard (Rainy River NDP)

Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Service (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation

(Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

# **CONTENTS**

# Thursday 22 March 1990

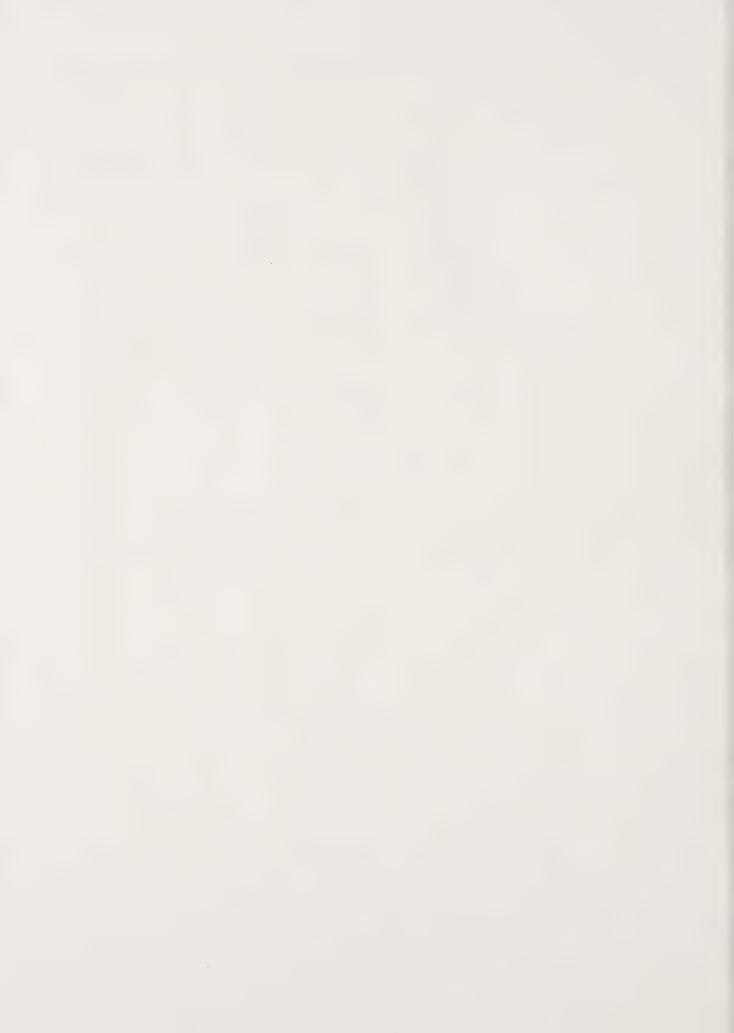
Private members' public business	Oral questions
ducation Amendment Act, 1990, Bill 112 7	7 Tire dumps
Mr R. F. Johnston	7 Mrs Grier
Mr Jackson	
Mr Keyes	Occupational health and safety
Miss Martel	0 Mr B. Rae
Mr Sterling	
Mr Lipsett	2 Environmental assessment
Mr Epp	
Mr Reycraft	
Mrs Stoner	
Second reading agreed to	
ax increases, resolution 38	
Mr Harris	
Mr Pelissero	
Mr Wildman	
Mr McLean	
Mr Reycraft	
Mr J. M. Johnson	
Negatived	Mrs O'Neill
Members' statements	Mrs Wilson
	Ambulance services
onya Goss	
Mr Kormos	Mrs Caplan
Freek Independence Day	Mr McLean
ducation of hearing-impaired	
Mr Adams	General Motors van plant
Vorkers' compensation	
Miss Martel	Mr Kwinter
on McEwen	Mrs Grier
reek Independence Day	2 Mr Bradley
Mr Faubert	School accommodation
hronic care	
Mr D. S. Cooke	Mr Conway
O Transit	
Mr Cousens	Mr Tatham
Ontario Farm Women's Network	
Ms Oddie Munro	Program funding
Statement by the ministry	Mr Conway
	Water resources
Prug abuse	4 Mr McCague Mr Bradley
Responses	Petitions
Prug abuse	4 Animals for research
Mr Farnan	Privatization
Mr Sterling	Mr Tatham

# TABLE DES MATIÈRES

## Le jeudi 22 mars 1990

Affaires d'intérêt publicémanant de simples députés	Comité plénier de la Chambre
Loi de 1990 modifiant la Loi sur l'éducation, projet de loi 112	Loi de 1989 modifiant des lois concernant l'assurance, projet de loi 68





5 90



90

# egislative Assembly Ontario

econd Session, 34th Parliament

# Official Report of Debates (Hansard)

Monday 26 March 1990

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

# Assemblée législative de l'Ontario

Deuxième session, 34e législature

## Journal des débats (Hansard)

Le lundi 26 mars 1990



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

#### Table des matières

La table des matières des séances rapportées dans c numéro se trouve à l'arrière de ce fascicule, ainsi qu'un liste alphabétique de députés de l'Assemblée législative d l'Ontario. La liste des députés appartenant au Conseil de ministres et des adjoints parlementaires ainsi que celle de députés appartenant à des comités y figure aussi.

Il existe un index cumulatif des numéros précédents. Le renseignements qu'il contient sont à votre disposition pa téléphone auprès des employés de l'index du Journal de

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

Monday 26 March 1990

The House met at 1330.

Prayers.

#### DEATH OF MEMBER FOR OTTAWA SOUTH

The Speaker: I wish to inform the House that a vacancy s occurred in the membership of the House by reason of the ath of Dalton James McGuinty, Esq, member for the electoral strict of Ottawa South. Accordingly, my warrant has been sued to the chief election officer for the issue of a writ for a relection.

## ONTARIO FRENCH LANGUAGE SERVICES COMMISSION

The Speaker: I would also like to inform the House that I we today laid upon the table the final report of the Ontario ench Language Services Commission, pursuant to subsection (7) of the French Language Services Act, 1986.

#### **MEMBERS' STATEMENTS**

#### **COMPULSIVE GAMBLING**

Mr Farnan: Paul G, a self-admitted compulsive gambler, currently waiting to be tried for fraud. Over a period of 17 onths Paul G, by his own admission, embezzled more than 200,000, not to enjoy a lavish lifestyle but solely to feed his mbling habit. Here are Paul's own words: "I lived in a dream orld where I envisaged making huge profits and currently am ying back the loans."

Paul was counselled by the Canadian Foundation on Comlisive Gambling to attend the Valley Forge Medical Center in e United States but, because OHIP would subsidize only 75 or cent of this treatment, Paul could not make the trip. Howver, Paul points out, had a similar clinic been available in ntario, it would have allowed him to attend. To quote Paul

"Gambling is becoming more available in Canada and I blieve the number of individuals requiring intensive clinical eatment can only increase....I look forward to the day I can enefit from a professional treatment centre in Ontario."

Does the Minister of Health recognize compulsive gaming as a disease? Can the minister explain why there is not a ngle gambling rehabilitation clinic in the province? And how uch longer are the unfortunate victims of compulsive gaming like Paul going to have to wait for the establishment of ich a treatment centre in Ontario? The time to act is now.

#### GOVERNMENT'S RECORD

Mr Cousens: Signs of spring are everywhere. The swalws have returned to Capistrano. Looking across the aisle, I an see that the turkeys have returned to Queen's Park, and onight is the annual spring fling of the Oscars, the Academy wards.

In Ontario we have our own world-class awards which we all the GRITS, Grim Reminders of Incompetence, Tax-grabs and Stupidity, which we award to members of the government recognition of their more noteworthy screwups and fumbles. his year the competition was fierce, but we have come up with list of winners which I and some of my colleagues would like announce today.

The big award this year for worst performance in a lead role goes, as it has every year for the past five years, to the Premier. That mumbling mogul of the mediocre has a lock on top prize. This year we honour the Premier for his part in a fantasy, the fantasy that his government has fulfilled the mandate it received in 1987. The Premier's comments in this regard have led some industry watchers to conclude that Looney Tunes are about to make a big comeback.

While the Premier and the other winners are deserving of their awards, those not so honoured need not despair, because with practice they too can become true Grits and can achieve that proper balance of arrogance and ineptitude which makes for winners on awards night. My congratulations to the Premier.

#### CHICAGO BOARD OF TRADE

Mr D. W. Smith: Is it not time that the farmers quit pricing their production of soybeans on the Chicago Board of Trade? In the late spring and early summer of 1989, I read and heard through the media that the directors of the Chicago Board of Trade had to take appropriate action so that farmers would not lose money on their soybeans. The story was that a company called Feruzzi, which also owns Central Soya, was cornering the soybean market. As it turns out, the companies represented by some of the board were on the opposite side of the market to Feruzzi and were more concerned about their own profits than the price of beans to the North American farmers. By the way, the price to the farmers of beans dropped \$1.50 per bushel in five weeks.

In November 1989, the American Agriculture Movement Inc, on behalf of 430,000 soybean farmers in the United States, started a class action lawsuit against the Chicago Board of Trade. It seems ironic that the farmers lost millions of dollars while the companies made millions of dollars because of this action taken by the board. Also, some of these companies get taxpayers' dollars to construct new facilities while farmers have to ask for taxpayers' dollars to bail them out of their problems because they cannot get their costs of production in the marketplace.

I believe the time has come for farmers in North America, as well as around the world, to quit pricing their commodities on the Chicago Board of Trade.

#### AFFORDABLE HOUSING

**Mr D. S. Cooke:** The death of 10 people just before Christmas in the Rupert Hotel fire is a tragedy that must be recognized by this Legislature. Rooming house fires have left a grim legacy of death in Toronto, killing at least 41 people over the past 16 years.

It is estimated that about 10,000 people in Toronto live in rooming houses, another 13,000 double up in Metropolitan Toronto Housing Authority apartments, 17,000 people are on the waiting list for MTHA units and between 10,000 and 20,000 people sleep in hostels or on the streets in this community.

The statistics and the tragic fire show dramatically the depth of the housing crisis in this province and in this community. We remember those who died and we demand that this horror not be repeated. Tens of thousands of people in Toronto and hundreds of thousands across Ontario are forced to live in overcrowded, substandard conditions because of the province-

wide housing crisis. Many are faced with living in premises that are unlicensed, uninspected and not even subject to minimal standards.

As we mourn the dead in the Rupert Hotel blaze, we demand that our governments ensure that all people in this city and this province, especially single moms and those on welfare and the working poor, have a safe, affordable place to live. The provincial government must commit itself to provide the money and the other resources necessary to build more safe, affordable housing. Since the new Housing minister was appointed, there has been no new program for the not-for-profit sector. We demand action now.

1340

#### **GOVERNMENT'S RECORD**

Mrs Marland: To continue with the Academy Awards, I would like to say that our first GRITS award, the MIA award for ministerial inaction and special effects, goes to the Minister of the Environment. Having amused audiences everywhere with his portrayal of the bumbling junior G-man in the hit movie The Toxic Fuel Scam, the minister reached new heights of the absurd in his performance as the Hagersville Houdini, in which he made 14 million tires and his own credibility disappear at the same time. We hope this MIA award will remind the minister that when the going got tough, he got lost.

This year's Reach Out and Kick Someone award goes to the Minister of Health for her sensitive performance in The Hotline Fiasco, the pilot for Emergency 911. The minister, in danger of being typecast as a consequence of her long-running Robocap performance, showed she has the capacity of playing lead roles in the GRITS soap opera. When faced with a problem, she did a great impression of the Premier and searched for scapegoats instead of solutions. As part of her prize, the Minister of Health will receive a 25-cent coin and Dr Nesdoly's phone number.

The winner of the GRITS award for director of the year is the Minister of Industry, Trade and Technology for his work on Waste, Flubs and Videotape. As head of I'm-a-Dope Studio, the minister paid 40 times the going rate for a promotional video which helped promote the spendthrift image of his government.

#### **DEMOCRACY**

Mr Neumann: Recent events in eastern Europe and the Soviet Union have made many of us reflect upon the true meaning of democracy. We have been inspired by people taking action to replace old-style, one-party governments run by bureaucratic minorities with new, multiparty democracies responsive to the will of the people. Already this year we have seen the formation of governments in several of these countries directly elected by the people for the first time in decades, or for the first time ever.

In Canada our system of democracy has evolved over many years in response to pressures and challenges which are distinctly Canadian. It is strong because the concept of rule by the majority is balanced by guaranteed rights for the individual, with a court system free of political interference. Respect for minorities and an atmosphere of tolerance and understanding are important elements of our success.

Canada's democracy is by no means perfect, however. Events in recent months have shown that we have not yet found the proper balance between the will of the majority and respect for minority rights. I believe that we can overcome these difficulties if we continue to remind ourselves that our multicultural diversity and knowledge and respect for more than one

language are strengths rather than weaknesses, to be promote rather than stifled. By working together in harmony an respecting others in society who are different, we are acting t strengthen and protect our true democratic ideals.

#### **EVENTS IN LITHUANIA**

Mr R. F. Johnston: I rise to ask all members of this Hous to join with me and others to develop and participate in Canadian parliamentary support committee for independer Lithuania.

It is time that we recognize the overwhelming democrati decision that was made there, which some of us witnessed, an that we demand of our federal government, as a group of palliamentarians, an official response to the Brezhnevian-style dis information which is coming forward: a request that a international journalists be allowed to stay in Lithuania as som means of international protection for that country; official rejection of bullying techniques in an attempt to provoke violence which are taking place there now on a daily basis. We should also decry any use of force and suggest that there should be n arrest of any of the young men who have decided to stay i Lithuania and to leave the Soviet army.

I believe it is important to understand that it would be a absolute desecration of our democratic ideals if we are to stan by and watch their democratic will thwarted. It would be betrayal of a nation that was taken over illegally, which is sti having bodies shipped back from Siberia these many decade after hundreds of thousands of people died there and which, i spite of enormous repression, has stood up peacefully at th ballot box to assert its will.

I ask all members to join with me in establishing this kin of parliamentary committee here, nationally and in other parlia ments, so we can at least suggest that our hands are not tied that we have voices we can lend to their support.

#### GOVERNMENT'S RECORD

Mr Cousens: A few more awards: A lifetime achievement GRITS award goes to the Treasurer, who has set modern-date records for the most tax increases, the heaviest tax burder overspending and announcing the shortest-lived and most continued balanced budget. The taxpayers who have had to patfor this sterling record have only one thing to say to the Treasurer: "Quit now." In reviewing the Treasurer's record, way, along with Will Rogers, "Thank God we're not getting a the government we're paying for."

The next award, the GRITS award for worst performance is a supporting role, goes to the Minister of Education. The clow prince of the front bench is being recognized for his performance in Honey, I Shrunk the Kids' School System and for homological continuing part in The Phantom of Mowat Block. To receive how award, the minister should contact any of the teachers' associations that have been trying to meet with him.

The first winner of the Fluffy the Cat Award for Humanitarianism is none other than the Attorney General, who could also have won, as our friend the leader of the offici opposition has noted, for his credible impression of Hamilton Burger. The Attorney General can pick up his award at the loc pound.

The GRITS award for least promising performance by newcomer goes to the Minister of Revenue for his sorry showing in The Big Sleep. While napping on the set, the minist missed a plot change which turned \$78,000 worth of inform tion material into garbage. He can pick up his prize at the gabage dump.

#### **EVENTS IN LITHUANIA**

Mr Fleet: Mikhail Gorbachev, your actions shame your romises of peace, democracy and openness.

Lithuanians democratically and overwhelmingly voted for dependence. The new Lithuanian government is doggedly arrying out the will of the people without a hint of violence.

In contrast, Mr Gorbachev, your army of occupation has nks and troops clattering through Lithuanian streets and ocupying buildings. International phone lines have been interpeted, the borders closed and the western media restricted ithin Lithuania.

Canadians have a right to telephone relatives and friends in ithuania, to know that those relatives and friends are safe. anadians have a right to a safer world, free from Soviet Cold /ar tactics.

We have all heard the calm but urgent plea of the ithuanian president, Vytautas Landsbergis, for international apport and assistance.

I call on the government of Canada to meet its responbilities: respond to Mr Gorbachev by immediately granting plomatic recognition to the new government of Lithuania and y providing humanitarian aid, especially medical supplies, to ithuania.

Actions speak louder than words. Let Canada act in support f peace and democracy in Lithuania and throughout the world.

Mr B. Rae: I believe we have unanimous consent to elebrate today the 100th anniversary of the birth of Agnes Iacphail, which took place on the weekend.

The Speaker: Is there unanimous consent?

Agreed to.

#### AGNES MACPHAIL

Mr B. Rae: This is a week of celebration, not only in Grey ounty but indeed in all of Ontario and all of Canada. We are elebrating at this time the 100th anniversary of the birth of a uly remarkable woman, Agnes Macphail.

Agnes Macphail was born on 24 March 1890. She attended ocal schools in Grey county and she went to Owen Sound collegiate. She became a schoolteacher. In the years after 1910 he was a very active and remarkable woman teaching in what was then the farm land called North York.

She became very active in the movement called the United armers of Ontario, which was a remarkable political movement.

350

Mr R. F. Johnston: Two founding members are still here.

Mr B. Rae: I had no idea that the Attorney General was uch an active member of the United Farmers, but I do know hat the Treasurer's father was a very active member of the Inited Farmers of Ontario, which was one of the precursors of he Co-operative Commonwealth Federation and of the New Democratic Party, and there were a great many others who were also influenced by the UFO.

Certainly there was Agnes Macphail, who in 1921 was the irst woman ever to be elected to the Parliament of Canada, where she served with great distinction for some 19 years, becoming a member of the CCF group in Parliament after it was formed in the 1930s, becoming a remarkable advocate on behalf of working people and on behalf of issues that mattered to her more than they did to others at the time.

She was well ahead of her time in fighting for prison reform. We even read today of conditions of overcrowding and the number of people who are in jail who are in need of psychiatric treatment and are not getting it in the province. One might well say that we need people like Agnes Macphail to advocate on their behalf even today. She was defeated for the House of Commons in 1940, but then she came back to political life, elected as a member of the official opposition in the elections of 1943 and 1948 for the riding of East York.

I obviously did not know Agnes Macphail, but I can tell members this story. When I was running for Parliament in 1979 in the new riding of Broadview-Greenwood, I took on part of Toronto known as East York, and there were a great many old CCFers and New Democrats who said they were delighted at finally being able to elect a socialist again after so many years when that had not been possible.

Hon Mr Scott: What was that? The "s" word? You said it.

Mr B. Rae: Look, there are changes happening everywhere. Changes are happening all over the world.

Interjections.

The Speaker: Order.

Mr B. Rae: I am very proud to pay tribute to Agnes Macphail. We celebrated the 100th anniversary of her birth with a dinner earlier last week. It was a great celebration. We are very, very proud to have Agnes Macphail associated with our party and with our movement, but I think it would be fair to say that we share her contributions with a great many other people, some of whom no doubt we will be hearing from in a very few minutes.

It seems to me that it is entirely appropriate that this House should celebrate the 100th anniversary of her birth, just as I am sure they will be doing in Ottawa, as we pay tribute to this remarkable woman, a remarkable pioneer on behalf of women all over Canada and a remarkable parliamentarian in her own right.

Mrs Cunningham: It is a great privilege this afternoon to be able to stand here and pay tribute to Agnes Macphail on the occasion of what would have been her 100th birthday.

Agnes Macphail is known throughout Canada as the very first woman to attain an elected seat in the House of Commons in our Canadian Parliament. For many she is not known well enough, and we have an opportunity this afternoon to spread the word through our Hansards and send them out to the schools across Ontario to young men and young women to show them the kind of leadership, the kind of courage, the kind of confidence and the kind of sheer guts that woman apparently had as she fought for things that we now, today, take for granted.

We now take for granted the idea that older people in Canada have been given our support through an old age pension system. We recognize that there were people who were poor across our country in 1921 and thereafter, and Agnes Macphail fought for their support and fought so that those of us who are more privileged than others can help people who need our assistance.

She also went on to bring to the attention of Canadians across this country and to the young people of Canada that others who were unfortunate, and now I will speak very specifically, the blind, also needed our support and our attention. We continue in these times, some 100 years later, to fight for the rights of the minorities and the disabled.

As we go on to talk about the challenges some 100 years later with our families and our young people, I am sure that if Agnes Macphail were here today, she would be very proud of some of the women who are elected, certainly to the Canadian Parliament but, more important, right here in the Legislative Assembly of Ontario. I will speak very specifically: The member for York East holds the very seat that Agnes Macphail held some years ago and I am sure she would be very proud of the contribution that member is making.

I will go on to say that it is tough some days, as women, to speak out for what we believe in. It is even tougher to be accepted in what we do and to be taken seriously. But we are making gains and we are trying to be the best role models we can possibly be for other young women.

She was elected some 70 years ago, and as we know she was a woman who stood up for what she believed in. Yes, it has been mentioned that she was nominated by the United Farmers of Ontario for Grey South East. We should also know it was the agricultural community and teaching that gave her her start.

I do not know what will give young women a start today, but I do know that in the federal House we now have just 39 of 295 members elected who are women. That is simply not enough. Some 14 per cent of the population of Canada is represented by women in the Parliament of our country, when more than 50 per cent of Canadians are women. Right here at Queen's Park just 21 of some 130 elected members are women. That is some 16 per cent. We have a long way to go for equal representation, but I am sure it is a goal that Agnes Macphail would encourage us in.

It has been a great privilege to speak of a great woman, a great heroine and a wonderful pioneer for women in politics, who fought for the rights of everyone across Canada.

#### 1400

Hon Mrs Wilson: "I'm no lady. I'm an MP." Those are not my words, of course; they are the words of Agnes Macphail, delivered to an official of Kingston penitentiary when she went there to see for herself the reportedly unbearable conditions suffered by prisoners. She was initially obstructed entrance because, of course, ladies were not allowed.

This Saturday marks the 100th birthday of one of Canada's most remarkable citizens. When Agnes Macphail was elected to Parliament in 1921 few women were engaged in paid work, few women attended university and very few even drove cars. Yet this former schoolteacher, the daughter of farmers from southeast Grey, was re-elected to Parliament four times and on two occasions to the provincial Legislature here in Ontario.

Not only did Agnes Macphail ably serve the cause of farmers and women; she was also a champion for all of humanity and a fearless advocate for justice for all Canadians. Agnes Macphail, the first woman delegate to the League of Nations and the first woman to sit on its disarmament committee, was so much more than I can describe here today. She was a woman with a warm sense of humour. She was a woman of wit, deep-rooted honesty and absolute dedication to her principles.

She was a woman who should be honoured today, 100 years later, as a role model to us all, even in 1990. This farmer's daughter, this rural member, celebrates with members of the House today the achievements of the remarkable woman and parliamentarian, Agnes Macphail.

#### STATEMENTS BY THE MINISTRY

#### ROUGE VALLEY

Hon Mrs McLeod: I have just returned from the Roug River valley, where I had the privilege of announcing the On tario government's commitment to create a 10,500-acre park the area. This is the most ambitious urban park project Canada's history. The Ontario government is donating an add tional 1,600 acres of land beyond its earlier contributions for the park. If this land had been developed, it would have had a estimated financial value of \$1.1 billion.

We also look forward to the federal government fulfilling its commitment to contribute \$10 million towards the cost contribute

We all know that parks play a vital role in our lives. The both preserve Ontario's natural heritage and offer opportunitie for respite and recreation which make this province a bett place for all of us to live. Yet many of the green spaces with our cities are being threatened as the pressure for development increases. That is why we have decided that now is the time to protect the Rouge River valley. We want to make sure remains green not only for the benefit of citizens today, but for the sake of our children, the citizens of tomorrow.

The Rouge Valley is a unique combination of outstandir features; they include rare plant and animal species living in variety of natural habitats, historic buildings, significant a chaeological sites, the Metropolitan Toronto Zoo and other creational facilities. The Rouge does not fit any existing category of park. Its diverse range of values, all combined in a urban setting, makes the area special.

In order to determine the type of park that should be estal lished, I will be appointing immediately an advisory committe. The committee will prepare a recommended management pla for the initial 4,300-acre area of the park, which is located sout of Steeles Avenue. The advisory committee will be asked to recommend which agency or combination of agencies should manage the park. The committee itself will reflect a wide rang of interests and will allow for extensive public consultation.

Studies will continue on plans for the remaining par reserve area south of Steeles Avenue between the eastern edg of the Little Rouge Creek Valley and the Scarborough-Pickerir boundary. Metropolitan Toronto has nominated 136 acres in th area as one of its options for an interim landfill site. The proposed site will be subject to stringent environmental approvals and a mandatory public hearing. The site would the allowed only on the understanding that it would ultimately the returned to open space use.

In the ongoing acquisition of the Rouge River, Bercz Creek, Bruce Creek and Little Rouge Creek valley lands nor of Steeles Avenue, we will be guided by the recently announce Rouge watershed management strategy of the Metropolitz Toronto and Region Conservation Authority. We will implement interim protection measures in the valley lands throug co-operative planning with the municipalities and the conservation authority.

I believe that these measures to protect the Rouge Rivvalley area demonstrate clearly the fundamental commitment the Ontario government to the conservation of our province natural heritage.

Interjections.

The Speaker: Order. We will just wait until some of the members are finished.

Hon Mr Wrye: The Ministry of Transportation is comnitted to expanding Ontario's transportation system to maintain ur record growth and economic prosperity. At the same time, we believe transportation progress must take place in a manner that maintains our quality of life.

Seven years ago, the Ministry of Transportation submitted n environmental assessment report for a proposed freeway in he east Metro transportation corridor. That route would connect lighway 401 with the new Highway 407, which is already well nder way in the northwest quadrant of greater Toronto. The roposed freeway connection would cross the last wilderness rea left in the metropolitan area, the Rouge Valley.

Today I am announcing to the House that my ministry is vithdrawing that proposal. There will be no further consideration of a route within the Rouge. We are equally convinced that ther roads in the area would be as damaging to the environment. Therefore, I will make our intent perfectly clear and state nat no new roads will be permitted in the Rouge Valley south f Steeles Avenue. Instead, we will rethink our transportation trategy in co-operation with Metro, York, Durham, Scarorough, Markham and Pickering.

With our regional and municipal colleagues we will underake a strategic planning study to consider two alternative outes in the east Metro transportation corridor, one in the Moringside area of Scarborough and the other in the Brock Road rea in Pickering. This review will also examine a broad range f public transit improvements, including expanded GO rail ervice and local transit using reserved bus lanes. In the meanme, we will protect the Morningside and Brock corridors.

Our direction is clear: We will develop a transportation sysem that supports economic growth in the greater Toronto area, romote greater use of public transit and respect the natural nvironment in any expansion of the transportation system.

#### CAREER INFORMATION CENTRES

Hon Mr Conway: As honourable members are aware, Ontario's economy is changing as a result of global trends. The merging global economy is placing increased emphasis on the treas of science, technology and the skilled trades. Our educational and training programs are already adapting to the new ealities of the 1990s and beyond.

Today the range of employment and training opportunities n Ontario is changing at an unprecedented rate. More than ever before there is a special need to ensure that all Ontarians eceive the information and guidance that will help them make vise decisions about their future. There is a special need as well o assist young people who are preparing for or who are experiencing the transition from school to work.

The Ministry of Education is committed to exploring innovative and co-operative ways to meet these needs. I am pleased, therefore, to announce today that the Ministry of Education will provide \$400,000 to fund eight pilot project career information centres operated by school boards across Ontario. These centres, four of which will be in northern Onario, will be funded at \$50,000 each, and they will join a number of other centres recently established in southern Ontario.

The eight centres will provide a central, convenient point where a broad range of career-related counselling and up-to-date information will be available for the whole community. Young people who have dropped out but who are thinking of returning to school or who want training will be able to use these centres, as will adults who are interested in furthering their education.

As valuable resources for the community, these centres will also provide training and advice to teachers and other educators. As well, each centre will act as a focus for partnerships among school boards, local colleges and universities, business, industry and government agencies.

The Ontario government support for these career information centres reflects our commitment to ensuring that Ontarians will be prepared for the changing labour market of the 1990s.

As another step towards this goal, the Ministry of Education will hold a conference for 1,000 principals and guidance counsellors here in Toronto on 28 May, this spring. The focus of this conference will be on counselling and career education strategies that will help Ontario students participate in the growing opportunities of the new global economy, especially in the fields of science and technology and the skilled trades.

I believe that these initiatives represent another important contribution to the building of links between high-quality education and training and the world of work.

1410

#### **RESPONSES**

#### **ROUGE VALLEY**

Mr R. F. Johnston: It has fallen upon me to have to respond to good news. I hate that sort of thing. I wanted to say, first of all, that huge congratulations should go out to the Save the Rouge Valley System group and the coalition of community groups in Scarborough who worked tirelessly to convince unlistening governments at both levels for years of their plea to save this wonderful area. I am delighted that the provincial government today has decided to join in to try to save that important piece of Carolinian forest in southern Ontario.

I am reminded by one of my members that before I get too excited, of course, we should remember that the last major park initiative here in Metro was Harbourfront and we saw what Huang and Danczkay have done to that. This one is probably the only provincial park that has been announced with its own landfill already. God knows where that leads.

But one must temper one's propensity to criticize at a moment like this and say that what is being preserved here for the future, for the people and the children of generations to come, is access to wilderness area, access to a kind of forest which is no longer readily accessible through most of southern Ontario, where it once existed. That heritage is indeed vital to be maintained.

Some of my northern friends might say, in a waggish way, "Why is it that we have this kind of assistance for the Rouge and around Metropolitan Toronto and we have another sort of policy for Temagami?" I leave that, of course, as a rhetorical question that might be posed to this government. Perhaps it has something to do with how nervous some of the five members in those Scarborough seats were beginning to feel, knowing the strength of those organizations out there.

I also have one major and fundamental disappointment about this announcement which I hope the Premier will rise to correct today before this chamber rises. This government has recognized the importance of the archaeological sites and the native history in that area which need to be preserved. It is amazing to me that this government did not appoint an aboriginal representative to that advisory committee that is going to oversee the development of this park.

I hope the Premier or one of the ministers who have made announcements will rise today and immediately add to this list one of those people who have been so strongly in support of the development of this park so that this can be a totally happy day and not a day which is left with the kind of niggling question about why that oversight was made.

Looking at the information as it comes forward I am, generally speaking, pleased by what I can read from the maps and the other information about the protection of some of the tablelands, but there is some question as to just how much protection there is along the waterways feeding the system. I am hoping this will be something we might be able to get clarified from the Minister of Natural Resources especially in the next little while. There would be no point in not protecting it totally if we are to actually preserve the water quality which is now so wonderful in that area.

I would just say finally that it is a great pleasure to see that there is now unanimity in this House on this matter and that the people of Ontario will have this preserved for the future.

#### **CAREER INFORMATION CENTRES**

Mr R. F. Johnston: Accepting the fact that the member for Scarborough East's earlier decrees have been set back in terms of the transportation corridor, I might just say briefly to the Minister of Education, who likes pilot projects so much, congratulations on producing a few others. I think it is commendable that he can keep producing these \$50,000 offices to provide meaningful assistance to people, given the implications for salary that must have and for other support services.

I think it is going to be very difficult for these centres to be able to operate in the way the government wants to but, again, the minister of pilots is back again with no overall plan but a series of little bits of money here and there which will probably mean nothing in the long run.

#### **ROUGE VALLEY**

Mrs Marland: It is a pleasure to rise today and acknowledge the fact that the Liberal government has now confirmed a decision that was made by the Progressive Conservatives some 15 years ago. We too are happy that this government has confirmed what has been a plan for this property for some 15 years.

I want to point out to the minister that where she mentions there was an estimated financial value of \$1.1 million if this property had been developed, that land was never bought by the people of this province to be developed. It was always bought to become a provincial park, so there was not a development value to it.

However, in talking about the designation, I hope that very soon the minister will designate it as a provincial park and therefore give it the designation under provincial park status, the natural environment classification which is needed. Simply the urban park classification will not necessarily protect it.

When we are looking at the decisions that were made and included in the minister's announcement today, we want to place on the record our concern and the concern of those people who have worked very hard to preserve this property. That is, the province owns the table land north of Steeles Avenue all the way up to the 10th line along the Little Rouge River. We would ask the minister to accommodate the wishes of those people in terms of protecting the wildlife and water quality corridors that are along that river. We own the property. It is table land. At this point she has designated only the valley. So we ask her to take that into consideration.

Most important, we are concerned about the fact that the Liberal government has not taken a position on the Metro dump. We are rather horrified that Metro council will still have the option of putting its garbage in the Rouge Valley. We plead

with the minister to please reconsider the fact that she would not take a position on the dump. Maybe it is purely politics, but what we say to her about her designation and her speech today is that it must go beyond the political issue. It is purely and for ever an environmental issue and if the minister is committed to the conservation of the Rouge, Metro council must not be permitted to put its garbage in this dump. That in itself is critical.

We also plead that, in the eventuality that the minister does not take action on the dump, she subject the dump's classification to a full environmental assessment, not under the Environmental Protection Act, however, but under the Environmental Assessment Act. Otherwise there will be no protection at all.

Mr Pollock: I want to compliment the Minister of Natural Resources on her efforts to announce that the Rouge Valley will be a provincial park and also compliment the member for Mississauga South and the Rouge Valley committee for their efforts, because they have done a lot of lobbying to make this a provincial park. I think they helped to make it happen. It will be very beneficial to have that park so close to Metro Toronto and it will serve the residents of Metro Toronto well.

I would hope the minister will not spend all her money right here in the Metro Toronto area. I have been lobbying for years for the Marmora subdivision to be a recreation trail and I have never heard about that. I just want to mention that.

Mr Cousens: Once in a while the government listens to the Legislature. On 22 June 1989 in this House we passed a unanimous amendment that asked the government to look at protecting the east Metro expressway. The government has done that with this announcement and we are grateful. We just hope it will continue to do the right things for the environment. This is a good first step.

#### CAREER INFORMATION CENTRES

Mr Jackson: The Minister of Education's statement about eight career education centres sounds vaguely similar to a somewhat broken 1986 throne speech promise of this government to provide assistance to schools to set up job screening programs. They committed \$600,000, all of which was not spent. I am afraid what we have today is a reconstituted announcement from a reconstituted Education minister from 1986.

1420

#### **ORAL QUESTIONS**

#### WATER QUALITY

Mr B. Rae: I have a question for the Minister of the Environment. It is about water quality and relates in particular to findings of chemical contamination in wells in the Hagersville area.

Why are ministry officials telling farmers there is no problem with their using the Sandusk Creek for their farm animals when we know that the carcinogen NDMA has been found in 14 parts per trillion in a private well near the site? Can the minister tell us why his ministry continues to say there are no problems when the evidence of chemical contamination is there for all to see?

Hon Mr Bradley: I think the member would know that our ministry indicated some time ago that we would be on the site and the adjacent area for some period to come to do all of the extensive testing necessary to ensure that we are able to detect any contamination either onsite or adjacent to the site. I can assure the member that we will continue to do so indefinitely—

mean for months and years to come—to determine whether here is migration. If there is any migration from the site itself, we will ensure that it is part of the cleanup.

Mr B. Rae: I do not think the minister answered my ques-

ion; so perhaps I could try another route.

It has been reported to us that levels as high as 19 parts per pillion of benzoapyrene, which is also a known carcinogen, have been found in the runoff water from the site before the reatment at the onsite treatment plant. Can the minister give us oday a categorical assurance that the water coming out of the reatment plant is in complete compliance with the drinking water guideline being used by the Ministry of the Environment: only 10 parts per trillion of benzoapyrene?

Hon Mr Bradley: Our treatment plant, as members know, s down at the present time for maintenance because when you have carbon filtration in a plant of this kind you must continue o replace the filters in that particular plant.

We do the testing of the water, first of all, as it goes in—it is water that is already in there—and the water that then would be prepared for discharge. Our people on the site have done that very extensive testing and have ensured that it meets all of the necessary water standards before there is a discharge.

I can tell the member as well that on the site itself there will continue to be replacement of any of those filters—and that is what happens with a carbon treatment system—as it becomes necessary to ensure that there is a catchment system for any contamination.

Mr B. Rae: I wonder if the minister can perhaps clarify something for me. I am from Missouri in this regard. Back in 1985 the leader of the Liberal Party, who is still the leader of the Liberal Party, responded to the project for environmental priorities. When he was asked "Do you support the establishment of a safe drinking water act which would guarantee Ontario citizens the right to safe drinking water?" the leader of the Liberal Party responded with a definite yes to that simple and direct question.

The minister will know that the federal government tests for only some 50 chemicals and that the water guidelines for Canada established by the federal government do not cover over 900 chemicals that have now been found in the waters of the Great Lakes.

In 1985 the leader of the Liberal Party said yes to the question about safe drinking water and the need for an act in Ontario. The minister's answer last week was, "Oh no, that's not up to us; that's all a federal responsibility." Why would he give us that kind of falderal when just five years ago his leader was ready to say yes, we need standards for Ontario and they need to be enforceable? Why the change?

Hon Mr Bradley: I guess I will answer the last question first by saying that we of course have adopted in Ontario a drinking water surveillance program which looks for some 180 potential contaminants and measures in such things as parts per trillion and parts per quadrillion any substances that might potentially be found in water. It is the most extensive program I think that one will find in virtually any jurisdiction. It allows us to have a good look at the drinking water in the province and to take any remedial action necessary.

In regard to his other questions, I know that an advisory was given to area people on Sandusk Creek, advising that it not be used. As well, that it is my understanding that there is no benzoapyrene in the treated water that would be discharged from that particular plant in the area.

With the very extensive program that we have in Ontario, with the considerable amount of money that we are spending on such things, as the member would be aware, as both water and sewer projects in the province and with the activities that we have undertaken in terms of the cautions on waste management and the comments on new developments that take place in the province, I can assure the member that those have a very positive effect on the protection of water.

#### SOCIAL ASSISTANCE

Mr B. Rae: Before the House came into session, I was in Ottawa meeting with many groups of people who were running centres that provide food of an emergency kind to people of all ages. Nearly half the people who use the food banks, the grocery services and the emergency services in Ottawa, as in the rest of the province, are children. All these groups have come together because many of them have been cut off from, denied access to, funds from the ministry. Indeed, many of them are no longer able to provide services that they were providing up until the end of February.

Does the minister really think it either fair or wise to cut off the emergency programs with regard to food when we know that the need has not fallen away, that the need has not declined, that there are people who are still hungry and still in need of emergency services when it comes to eating?

Hon Mr Beer: As the honourable member is aware, a year ago it was decided that the emergency program in terms of the food portion would be phased out because of the major reforms that came about in terms of the social assistance review with the additional dollars that were going to be provided for basic shelter and for basic needs, including food. That was a program of some \$415 million. The emergency program was approximately \$1.5 million. A large portion, almost half of that, will be continuing in terms of providing assistance for those centres that are providing a variety of day care programs, but it was our belief that where the money should go in terms of food was into the basic subsidy and to provide more money for basic shelter.

Mr B. Rae: It turns out that all the minister has done by bringing in the Social Assistance Review Committee reforms is he has taken money away from shelters like the Shepherds of Good Hope and he has transferred it over, but he still has not solved the basic problem. Between 1986 and 1989, at the Shepherds of Good Hope, which is a refuge in Ottawa, the number of people served by the grocery program rose from 20,000 to some 41,000. They asked the government for nearly \$340,000; they got \$44,000.

Does the minister really think it is good, fair or right to take money away from these programs and from these people when the need is still there? He does not have any reason to believe that his program is changing the demand for food. It is not.

Hon Mr Beer: I think that in deciding to go the route that we did with the social assistance reforms, it was precisely because we believe that is the way to have a real impact on the needs that people have around shelter and around emergency assistance. We are beginning to see, as was stated before the standing committee on social development, that the number of people on social assistance who are seeing their income grow during the course of the last four or five months is significant. That is going to provide more money in the pockets of those on social assistance for food and other necessities.

We realize that this by itself has not resolved the entire problem, but we are convinced that the best way to approach this matter is through key, focused, long-term reform and not just by providing small sums of money in individual programs. We think the results are starting to come in and that those will begin to show a decline in the need for these special programs.

1430

Mr Philip: I am sure the minister will acknowledge that the social assistance reforms he has implemented do absolutely nothing for the single, for the working poor or for the disabled. Many of these people are using these food banks at the present time.

Is he aware that at the Rexdale food bank there has not been any decrease in the number of requests for assistance in either January or February and that as of 31 March that food bank is going to have to close as a result of his cutbacks? What does he intend to do with all of those people who need food in Rexdale and so many other communities—the working poor, the single and the disabled?

Hon Mr Beer: I do not accept that the social assistance reforms do not benefit all those who require social assistance; in fact, we can see that the amount of funding going to individual recipients has gone up since they were implemented. The member should remember, we are talking here about a program of some \$415 million. Again, we have said that will not totally resolve all the problems around poverty. The member says that none of this will help the working poor, and yet the supports to employment program very specifically is an income supplementation model of a program where all people who apply for that and are eligible will be able to receive assistance.

I think one has to look at the broad front on which we moved in terms of those social assistance reforms and to see that they are having an impact where there are individual or specific problems. Through our area offices we will continue to work with those centres to try to help them in the best way we can, but I believe that we as a government have said that our priority must be to go at fundamental reform of the system.

#### **AUTOMOBILE INSURANCE**

Mr Runciman: My question is for the Minister of Financial Institutions. The minister will know that the Canadian Bar Association has a legal opinion from an eminent lawyer, Gordon Henderson, whose work the Attorney General is quite familiar with, stating clearly that there is reasonable doubt that Bill 68 is constitutional, and that he is urging the minister to refer the legislation to the Court of Appeal for a reference. As well, the government has refused to provide us with a copy of its legal opinion on the matter. Is the government prepared to be fair to everyone and refer Bill 68 to the Court of Appeal for a reference?

Hon Mr Elston: We will not be referring the bill to the Court of Appeal for reference. As the honourable gentleman knows, that is an unusual step and very seldom used by a Legislative Assembly. We likewise have opinions and have found that the bill is constitutional, in accordance with the opinions that we have received.

Mr Runciman: Innocent accident victims who suffer psychological injuries will have to wait two or three years for a constitutional decision on this matter. These accident victims already have one strike against them with the disabilities they will have to endure, yet the government is bent on creating another strike against them by forcing them to wait for a con-

stitutional decision. Why does the minister not have the Attorney General refer the bill to the Court of Appeal for reference?

Hon Mr Elston: It is the usual practice for me to try to set the honourable gentleman straight about the merits of Bill 68 the new auto insurance bill. In fact, I should do that now at the outset to indicate that the bill provides better compensation for people who are injured in Ontario than has previously been the case. As he knows, we have moved from \$140 a week now to \$600 a week; we have long-term care which goes, instead of \$1,500 a week as it previously was set, up to \$3,000 a week, so that people who have problems associated with accidents will receive those benefits without having to prove their disabilities through the court system.

He knows full well that those are new benefits in place now, without having to go to the courts, and he should acknowledge to the people of Ontario that there is a new way of providing compensation and support for those people which was not in existence at all prior to this bill coming forward. It seems to me that he should very clearly state that this is a better way of providing support for those individuals; in fact, it takes the burden from the shoulders of people who used to have to wait four or five years to figure out whether or not the courts would provide any assistance whatsoever.

**Mr Runciman:** The minister and his colleagues not only have failed to set me straight on this issue; obviously, according to the Angus Reid poll results this morning, they have failed to influence a majority of Ontarians who are strongly opposed to the legislation.

The president of Kingsway General Insurance Co, William Star, has put the Premier on notice that should the government proceed with Bill 68 without a court reference, his insurance company would hold the province responsible for all claims or costs it would have to pay should the legislation be ruled unconstitutional.

We are talking about hundreds of millions of dollars in claims. If the minister is not prepared to ask for a constitutional reference, is he prepared to compensate the insurance industry and innocent accident victims, and if so, where is that money going to come from?

Hon Mr Elston: I am aware of the letter which was sent by Mr Star at the urging of one of the directors of his board, Mr Gluckstein, as I understand it, who is a member of the Fair Action in Insurance Reform committee. We have information that indicates quite clearly that Mr Gluckstein has been advocating with the parent company that such a letter be sent, and he obviously has had his way with Mr Star. I do not feel there is any real problem in accepting Mr Gluckstein's opposition to the bill; he has stated it very specifically and very thoroughly before, and we accept that as a presentation.

We do know this about the bill: It will provide quicker compensation for people involved in accidents. We know that it provides disincentives for people who cause accidents by insuring that increased premiums will be paid by those people responsible. We know that there will be better support both it supplementary medical and rehabilitation services and in long term care. We know that all that goes into this bill, and we do know that quicker payout to those people means a better way of taking care of accident victims in a more humane fashion.

[Later]

Hon Mr Elston: Mr Speaker, I wonder if I might rise to correct the record.

Mr D. S. Cooke: Your record?

Hon Mr Elston: Of my own, yes, thank you.

Mr Laughren: This could take a while.

Hon Mr Elston: No, this will be quite brief. I had indicated inappropriately, from misreading my briefing materials, that Mr Gluckstein, whom I had mentioned in a reply to the member for Leeds-Grenville, was a director of a company associated with Kingsway General Insurance Co. He is in fact not a director, he is a shareholder, and I regret any embarrassment that I may have caused either the company or Mr Gluckstein.

#### ONTARIO HYDRO LABOUR DISPUTE

Mr Brandt: My question is for the Minister of Energy. She is aware that there is a strong possibility that an Ontario Hydro strike may occur within the next week. She is also aware that coming on the heels of that, there is a possibility as well that the nuclear system could be shut down as early as Thursday or the latter part of this week in anticipation of a potential strike. Could she indicate to us what role the government is playing in connection with attempting to resolve this matter prior to its arriving at a position somewhat similar to 1985 when, at great cost to the province, a strike took place? Could she bring us up to date on her actions?

Hon Mrs McLeod: The honourable member's question, as he has phrased it, might be addressed most appropriately to my colleague the Minister of Labour, because the Ministry of Labour has been very closely monitoring the collective bargaining situation. In fact, it has a mediator working with the situation. An offer is being voted on at the present time, and I think we have to focus on the expectation and hope that there will be a resolution at the collective bargaining table.

Mr Brandt: I am glad the minister did not refer the question, because my supplementary was for her as well obviously, and it relates to the positions being taken by Ontario Hydro and the union in connection with what might happen.

Ontario Hydro is indicating that there will be a strong possibility of either blackouts or brownouts occurring as a result of part of the system not being available for operation, primarily the nuclear dimension to the system. The union is indicating that surplus power can be purchased from Quebec, Manitoba or US jurisdictions in order to make up the shortfall.

I wonder if the minister could indicate first, since there is a potentially tremendous cost to consumers, home owners and industry if there is any disruption of power flow to the residents of Ontario, what contingency plans are in place with respect to power needs that we can anticipate. Second, who is right, the union or Ontario Hydro, in connection with what is going to happen if there is a strike?

#### \* \*

1440

Hon Mrs McLeod: I think clearly the difficulty would be one of attempting to predict a situation which might be in place if there was not a successful resolution of this issue at the collective bargaining table. Again, our focus right now is on the collective bargaining process and our hope is that it will be resolved at the collective bargaining table.

There is obviously a concern that should that resolution not take place and should there be some disruption in work, we would have to have, and expect Hydro to have in place, contingency plans to deal with any interruption of service. However, the very nature of the contingency plans required would depend

on such factors as whether there would be a full work stoppage, would it affect different areas differently and what would be available to Hydro at a particular time? Hydro has felt it appropriate, and I would agree, to advise its customers that in the event of any work stoppage, there could be some disruption in service. We would expect that it would minimize any disruptions through contingency plans.

Mr Cureatz: Final supplementary to the Minister of Energy, following along my leader's first question: I had the opportunity of being visited in my riding office on Friday by three representatives of CUPE Local 1000 from the Darlington generating station, Mr Melnyk, Mr Beggs and Mr Tutkoluk. They indicated to me some concerns of Ontario Hydro bargaining in good faith with their representatives. I too have similar concerns, because I want to remind the minister that over the last number of months, Ontario Hydro and my own municipality, the town of Newcastle, have been at continual loggerheads, with all kinds of press, concerning the dialogue over the emergency plan process at the Darlington generating station. I had the opportunity of phoning the chairman of Ontario Hydro and asking him to meet with the mayor of the municipality to try to start a dialogue. He has yet to do it. So I too am concerned. Has the minister made any efforts so far to speak with the chairman of Ontario Hydro to ensure that his and his staff's approach concerning the possibility of a strike will be in an open, fair manner and very amicable to negotiating a possible settlement before the strike?

**The Speaker:** Order. I am sure there was a question there somewhere.

Hon Mrs McLeod: As the member places the supplementary question, I rather regret that I had not referred the question to the Minister of Labour, because again the question focuses on what is a collective bargaining situation taking place right now. That is the government's focus, as I know it is the focus of both the union and the management of Ontario Hydro, and that is an appropriate focus.

I have had opportunities to talk with both union representatives as well as management representatives, so I am fully apprised of the situation. My focus as Minister of Energy will be to ensure that Ontario Hydro does have contingency plans in place to deal with any eventuality, but as the member correctly suggests in his question, the focus right now is on the collective bargaining table and the successful resolution of the issues there.

#### HEALTH CONCERNS AT SCHOOLS

Mr R. F. Johnston: My question is for the Minister of Education and the Minister of Colleges and Universities regarding the asbestos problem that has been identified recently in the Metropolitan Toronto separate school system specifically, but elsewhere as well.

Given that the province is responsible in general for the health and safety of its citizens and that it establishes the standards and procedures for asbestos removal and abatement, and since in the past the provincial government has paid money out of its budget for the cleanup in the schools, especially between 1979 and 1984, is it the minister's intention to work out an arrangement with the boards of education in the province, in particular in this case, to put provincial dollars into the abatement of this obvious problem which is causing a great deal of malaise out there in society?

Hon Mr Conway: The member is right to observe that over the past decade the Ministry of Education has paid out, I think, close to \$40 million to school boards as part of an asbestos abatement program. It is also true that the Ministry of Education is still quite prepared to accept submissions from school boards through their regular capital expenditure forecasts for additional asbestos abatement requests.

Mr R. F. Johnston: The minister knows, of course, that trying to put that into your capital forecast, given the difficulties that are out there for boards these days, is enormously difficult.

The minister is also the Minister of Colleges and Universities, and perhaps I can redirect to him around his responsibilities. I have a letter here from President Arthurs at York University as of last December about some of the problems at Osgoode Hall, where asbestos has been identified as a problem. He indicates to me that the Council of Ontario Universities estimated recently that the cost of asbestos removal and abatement of asbestos problems at the university level would be \$84 million. Does the same principle not apply that this government, and not those institutions or those boards in particular, has the responsibility for making sure that those students are safe?

I do not know about the minister, but over the last number of years I have had friends who died of mesothelioma and of asbestos poisoning.

The Speaker: Order. The question was asked. Minister.

Hon Mr Conway: I want to assure my honourable friend from Scarborough and the people of Ontario that the government takes very seriously its responsibilities in so far as the monitoring of the asbestos hazard and its redress are concerned. As I indicated earlier, we have appropriated tens of millions of dollars in the school system to address the needs, and I am quite prepared to entertain submissions from both the elementary-secondary part of education and the post-secondary institutions.

I am sure my honourable friend would have heard this morning Fraser Mustard, who I thought reviewed the findings of the royal commission of some years ago to very great effect. I thought Dr Mustard's observations were very telling, and I can assure him I intend to deal very directly with requests from both colleges and universities and from school boards in consideration of their concerns in this matter.

Mr Jackson: I have a question for the Minister of Labour. Today, over 1,000 children will not be attending Our Lady of Victory and St Mary of the Angels schools in York region because their parents are afraid of the potential risks of exposure to friable asbestos.

According to a press release issued by his ministry, dated March 2, "all school boards have submitted documentation"—I quote directly from his own press release—and that was compliance and documentation with respect to the risks and identification of specific schools. Given that the minister now has this information, can he tell the parents at these two schools whether or not the schools are in compliance with his regulations?

Hon Mr Phillips: It was yesterday, I guess, at one of those schools, Our Lady of Victory, that our inspectors completed their work, and their conclusion was that the school is safe for the students. I might add that the very extensive royal commission on asbestos recommended that in virtually every case it is best to manage the asbestos within the building rather than to remove it. In this particular case, our inspectors have been

through that facility in some considerable detail. We have satisfied ourselves that the facility is safe for the students to be in We have informed the school board of that orally, and I think we will be doing that in writing today.

Mr Jackson: Apparently the position of his government is that the concerns of parents are unfounded, at least in those two schools. But my question to the minister specifically was with the actual information which school boards have given him with respect to compliance with his regulations.

He has regulations for a reason. We assume that it has to do with the safety and health of the children, the teachers and the workers in any given school in Ontario. He has the list. He can identify the schools. Will the minister make that information public so that parents can distinguish between those schools which his own regulations tell them are at risk and those schools that are not? He has the information. Will he make it public today?

Hon Mr Phillips: I began my answer by assuring the parents of the students at Our Lady of Victory of the work that our ministry staff have been doing, which has been quite a thorough investigation of that particular facility, and that in our judgement, after that investigation, the school is safe. We also have reviewed with the Metropolitan Separate School Board its program for complying with the regulation. We reviewed that as recently as Friday, I think, and we are satisfied that its program, properly implemented, will ensure that the school board complies with our regulations.

1450

#### CHILD CARE

Mr Chiarelli: My question is to the Minister of Community and Social Services. As the minister would know, last fall his ministry provided funding for capital and startup costs for a much-needed and very appreciated nonprofit multicultural child care centre in my riding of Ottawa West. Having visited the new centre myself, I know at first hand that the new facility is now up and running successfully, and for the minister's assistance the community is truly appreciative.

However, in order to ensure its continued financial viability, it is my understanding that this centre, along with three other new facilities in Ottawa-Carleton, is anxiously awaiting an announcement regarding the provision of subsidized spaces. My question to the minister is this: Given that these new centres missed out on the 1989-90 subsidized space allocations for Ottawa-Carleton, what is the possibility of the minister's preflowing 1990-91 allocations to these very needy and deserving facilities?

Hon Mr Beer: I am delighted that the new multicultural centre is functioning very well. As the honourable member is perhaps aware, over the last five years we have seen the growth in the Ottawa-Carleton area in child care spaces of over 2,000 from 2,400 to 4,400, and the amount of money that has been going into the Ottawa-Carleton area from some \$8 million to almost \$19 million.

We recognize that the demand continues. One of the factors we have to consider in the allocation of spaces is that, as some of the major urban centres were quick off the mark in terms of obtaining spaces, now many other parts of the province, particularly rural areas, are also making their demands known.

I can assure the honourable member that we are trying to meet the needs that are there and that while this ministry does not preflow funds, we are at the point where we hope very shortly to have all of our allocations in hand for the next fiscal year.

Mr Chiarelli: At the present time these four centres are operating without any subsidized spaces whatsoever. Can the minister give these centres any comfort at all that in the foreseeable future they will have some subsidized spaces?

Hon Mr Beer: That is an issue we are looking at very carefully and, as I said, we hope to be able to make an announcement on that shortly.

I would say, given that it is the Ottawa area in particular that the honourable member is speaking about, those active in the child care area would do well to speak with federal members and with the federal government about the fact that it has cut the funding it is making available under the Canada assistance plan and it has not as yet come forward with any new proposals since it unilaterally withdrew the child care program that it had promised to bring in.

#### **PURCHASE OF URANIUM**

Mr Wildman: I have a question of the Premier regarding the devastating economic situation in Elliot Lake, where Rio Algom has announced 1,600 workers will be laid off at the end of this year and Denison Mines will lay off 450 workers by the end of August this year.

In 1982, when he was in opposition, the Premier questioned why Ontario Hydro, under the previous government, was not prepared to pay "above the world price to Madawaska Mines for uranium to keep that community"—Bancroft—"going." In view of the position taken at the time of the Bancroft closure, is the Premier prepared now to make a commitment that Ontario Hydro will purchase the uranium it needs for its nuclear generating plants in this province—as long as it is operating nuclear generating plants—from Ontario sources, specifically Elliot Lake?

Hon Mr Peterson: I appreciate the question the honourable member raises. As my honourable friend knows, the problems in Elliot Lake are not just a function of Ontario Hydro's contracts but of other contracts around the world as well. I know he knows that.

I also know that he knows that Ontario Hydro is paying a very considerable subsidy; in other words, way above world price. I am sorry I cannot tell my honourable friend the exact figure now but, as I understand it, and he will correct me if I am wrong, it is roughly double the amount at which uranium could be purchased on the open market, particularly in other parts of Canada, as my friend will know, in Saskatchewan.

In a sense, Ontario Hydro and the consumers of Hydro are paying a direct subsidy into that community. That is something that has gone on for a long period of time and it has been a matter of long discussion, as my honourable friend knows. I think one can make an argument that there are enormously good reasons for purchasing things inside the province, but obviously my friend will be aware that this is a source of irritation with some of our other sister provinces, which feel that they should be bidding fairly on uranium and have access into our purchasing power. So there are many sides to this question.

One of the other realities is that Elliot Lake is a wonderful community with a highly developed infrastructure and really quite a wonderful place to visit. It is a great tragedy to see these massive numbers of layoffs that are coming there.

I do not have a quick and easy answer to my honourable friend's question, except to say that I know there will be some

purchases by Ontario Hydro. I cannot tell him exactly the mix. It is imperative that they are sensitive to the realities of that community. I can tell my honourable friend that a number of my colleagues, led by the Minister of Northern Development and others, including the member for Algoma-Manitoulin, are working very, very closely with that community, looking for alternatives and looking for solutions. We have had other problems in—

The Speaker: Thank you.

Mr Wildman: I appreciate the comments of the Premier with regard to the efforts of the Minister of Northern Development and my friend the member for Algoma-Manitoulin in conjunction with the people of Elliot Lake and the North Shore, but would the Premier not agree that by making such a commitment by Ontario Hydro, the communities of Elliot Lake and Blind River and the North Shore would have more time to adjust and to work out strategies for diversification if they had some idea of a length of time and volumes of purchases that Ontario Hydro was prepared to make so that we could move ahead and try to alleviate the devastation of the economy that will result from the company's downsizing due to world prices for uranium?

Hon Mr Peterson: My honourable friend puts forward a suggestion, and it is a constructive one. I can tell him that the member for Algoma-Manitoulin has been working on these particular matters, and obviously it is imperative that Ontario Hydro is sensitive to some of these realities and giving time to adjust.

As I understand it, and again I just cannot recall the information at my fingertips, some of these contracts are coming up for renewal in the not-too-distant future and that is why we are going to have to go through the entire matter. But I can assure my honourable friend this government will respond in every way it can.

I just see by accident that the mayor of Kirkland Lake is in the gallery today. I am sure he would be the first one to tell the member that when he had troubles in that area, the closedown of the mines in Temagami and the Kirkland Lake area, this government responded with a number of programs of diversification.

We want to be very, very sensitive to the communities that are subjected to these kinds of problems. I know I can count on my honourable friend's advice and help along the way as we develop these alternative strategies.

#### CHILDREN'S MENTAL HEALTH SERVICES

Mrs Cunningham: My question is to the Minister of Community and Social Services. He knows that in the field of children's mental health we have had waiting lists now for over two or three years for some 10,000 young children. Right now in Ontario, the mental health centres are telling us that these children have been subjected to abuse, that they have been subjected to family violence, that they are having trouble mentally and that they really desperately need our help.

They have a right to treatment. Right now, if they were looking for health services like fixing a broken leg or cancer treatment, they would get that service right away. But they are not getting service for what is called a mental health problem, and they do not have the kind of access we would like them to have—10,000 children, over three years; what is the minister deciding to do about it? We need a plan of action now.

Hon Mr Beer: I thank my honourable friend for her question. There is a great deal that the ministry and the government are doing in working in the broad range of children's services, and I think it is awfully important in looking at the problems in the children's mental health area that we recognize there are problems throughout the children's services area and the way we are going to resolve those is by bringing all the players together and coming forward with a comprehensive approach.

For this reason my predecessor created a special advisory committee on children's services, which is meeting and will be bringing in a report. It is chaired by Dr Colin Maloney. That committee is looking at particular problems in the children's mental health area, in the children's welfare area, young offenders—across that broad spectrum. I have met with the executive of the Ontario Association of Children's Mental Health Centres. We have looked at a number of specific things that we can work on in the interim. I have agreed that once Dr Maloney's report is completed, I would be quite prepared to sit down with them and look at how we can go about moving on the recommendations of the Maloney report.

#### 1500

Mrs Cunningham: I understand that the minister is meeting and having discussions around the Maloney report. I guess my plea today would be to speed it up. While we are talking about what we already know, and have known for some three years right now, there are more children added to waiting lists right across Ontario.

I can speak specifically for Madam Vanier Children's Services in London—which the Premier should know something about, and certainly the member for London South—and I can speak on behalf of other members of this House, as it has been brought to their attention by the children's mental health centres in their own areas.

I guess my question right now would be, when is the minister going to finish his discussions with Mr Maloney? What we really need is an overhaul of the system with new mandates for this special service for children's mental health. When will he do it and when can we expect a brand-new review independent of the one that is going on now?

Hon Mr Beer: One of the specific things we are doing with the children's mental health association is working together very directly on the question of the waiting lists to see how we can assist various centres with the waiting lists and perhaps have people treated in other centres. We are also looking at some specific problems around funding and around the salaries of people who work in those centres.

I will be receiving the Maloney report in June, and we want to move fairly quickly with that report precisely because it is going to be looking at the broad area. We have asked that all of the major players work together and work with us so we can go forward in implementing recommendations from that report, because I think it is clearly in all of our interests to try to provide the best help for all children who require mental health services.

#### ST ELIZABETH NURSING HOME

Ms Oddie Munro: My question is to the Minister of Labour. The St Elizabeth Nursing Home, in my riding, is due to close in August of this year. The nursing home was taken over by the Ministry of Health in 1987 and subsequently three local nursing homes were awarded replacement licences to relocate the residents.

The question of staff relocation is not settled and is resulting in frustration and fears among the workers. The workers are represented by the Ontario Nurses' Association and Local 532 of the Service Employees' International Union. It has been reported that Local 532 is applying to the Ontario Labour Relations Board for succession rights. Would the minister provide me with an update on this representation to the labour relations board?

**Hon Mr Phillips:** I know this is a matter of some considerable interest to the member, so I would be pleased to give her an update on the situation as I understand it.

I believe that last week the union did apply to the Ontario Labour Relations Board under the appropriate sections, as well as, I am told, under the Successor Rights (Crown Transfers) Act. I think the member would appreciate that because this is now before the Ontario Labour Relations Board, a labour relations officer will be appointed shortly to deal with the matter. That now is a matter that the labour relations board will be taking under consideration. As of last week, the union had brought that proposal forward to the labour relations board. It is now in their hands.

Ms Oddie Munro: I understand the need for confidentiality in allowing the board to pursue its own procedures. However, I understand that there is an obstacle in terms of being able to act proactively, and that is that applications may be accepted only after the transfers have taken place. Could the minister clarify for me the rules governing the timing of applications for succession rights in these or similar circumstances?

Hon Mr Phillips: I believe that both the Labour Relations Act and the successor rights act provide that in the event of a sale of a business or transfer undertaken within the meaning of the acts, any existing collective agreement and/or bargaining right should continue in force until the relevant board or tribunal declares otherwise.

I know that the member's concern is around the rights of the employees, and if in fact they fall within the meaning of the appropriate, relevant sections of the act, those collective agreements would continue in force until the appropriate tribunal has made its decision.

#### **HYDRO RATES**

**Mr Pouliot:** My question is to the Minister of Energy. The minister will recall vividly that Robert Franklin, one of his friends down here at Ontario Hydro, the chairperson of Ontario Hydro, announced last week that Hydro rates for Ontario consumers nine months from now, on 1 January 1991, will go up by a minimum of 12 per cent.

An increase of this magnitude has nothing short of a devastating effect on the people of the north. It hurts the people of the north, it hurts their economy, it hurts their future. When will the minister take the responsibility and stop this unfair gouging at the expense of northerners?

Hon Mrs McLeod: I am aware of the reference the honourable member makes to a speech that the chairman of Ontario Hydro gave in which he indicated that rate increases could be as high as 12 per cent for 1991, but I want to inform the honourable member and the House that Ontario Hydro has not in fact tabled its rate increase proposals for 1991 with me. At the point in time at which they do that, and I would expect that to be by the end of April, we will refer that to the Ontario Energy Board for its review of the various factors that would

have to be considered. It would be appropriate for me to comment more specifically at that time.

Mr Pouliot: Humour becomes the minister. The sad reality is that Ontario Hydro can do pretty well whatever it wishes. For instance, last year the Ontario Energy Board, which she referred to, recommended 3.6 per cent for electricity rates, yet the tax-payers of Ontario paid a full 5.9 per cent. Because of climatic conditions in northern Ontario and because of the rate structure in northern Ontario, the rates are often double what they are in southern Ontario—a double standard indeed.

Who is running the rate structure in Ontario? Is it the jackals whose appetites are insatiable, down the line on University Avenue, or is it the Premier of Ontario with the cabinet? Who is boss here?

Hon Mrs McLeod: I would certainly contest the suggestion that Ontario Hydro can do whatever it wants in terms of its rate increases. Ontario Hydro is mandated by the Power Corporation Act to provide power at the cost of providing that power. In fact, the record has been one of considerable success in providing power at quite reasonable rates.

However, I think there are some realities that we have to recognize in the set of rate increases that may be proposed. One of those realities is certainly the goods and services tax, which has been introduced by the federal government. This will mean that electricity will be taxed for the first time, and the cost of this tax will have to be incorporated in the rates that are charged for electricity in Ontario. That is obviously a concern to us, and the effect that it has on an increase in electricity rates, not just in northern Ontario but across the province, because we recognize that reasonable rates for our electricity are important to our economy both in northern Ontario and in southern Ontario.

#### **PESTICIDES**

Mr J. M. Johnson: My question is to the Minister of the Environment. I understand that the ministry is on the verge of proclaiming new regulations to Ontario's Pesticides Act which would impose major conditions on the storage and transportation of all pesticides in Ontario. If the government is so open, why would the minister refuse to consult with farm organizations that represent a major sector of Ontario's professional pesticide users, such as AgCare, Agricultural Groups Concerned About Resources and the Environment?

Hon Mr Bradley: When developing any regulation changes, particularly those that relate to the Pesticides Act, we are always made aware by people who are interested in it of the opinions they happen to have on these matters. I get communications from time to time from a variety of people, including those in the farming community, as to what they believe should be done in the future, the direction in which they feel we should be moving.

In addition, of course, we have the Pesticides Advisory Committee, which has a representative from the agricultural community and which also consults with people in the agricultural community. I think representatives from the University of Guelph, for instance, are involved in many items related to agriculture and are familiar and in contact with the farming community. I am always interested in those opinions and would encourage people to bring those opinions forward.

#### 1510

Mr J. M. Johnson: Jeff Wilson, the chairman of AgCare, an organization which represents 45,000 producers, requested a

meeting with the minister last spring. They are also waiting for written confirmation of the minister's oral commitment of 17 April 1989 on mandatory certification for users of agricultural pesticides. Does the minister want their input? Does he have any intention of meeting with AgCare?

Hon Mr Bradley: As the member may be aware, the relevant people within the ministry on many occasions meet with the people who have specific concerns about specific regulations, specifically those who are involved in the branch of the Ministry of the Environment that deals with pesticides. I know they have ongoing meetings with a number of people who bring forward their concerns to people directly involved in the drafting of those regulations or their suggestions on what might be in those regulations. We certainly encourage them to do so.

In terms of the member's other question, our ministry has certainly given that undertaking. I was very pleased to see the kind of support from the farming community, particularly for that mandatory aspect of dealing with that problem, because I have recognized that in so many cases—and the member, representing an area which has a large agricultural component, would know—many of those people have been most helpful in encouraging others within that community to be more conscious of the potential problems with pesticides and indeed have been some of the best people in terms of assisting us in that regard.

#### HOSPITAL SERVICES

Mrs Stoner: My question is to the Minister of Health. The Ajax-Pickering community has grown very rapidly to a population that is now over 100,000 people and is served by a hospital which has not seen substantial improvements since 1964, when the population was 33,000 people. I am sure the minister knows there is a great deal of support in the community for the expansion of that hospital, an expansion to meet the needs of the 1990s. The Durham Region District Health Council has indicated that the Ajax and Pickering General Hospital expansion is its number one priority. Can the minister reaffirm for the families of Ajax and Pickering the status of the hospital expansion?

Hon Mrs Caplan: First, I would like to acknowledge the member for Durham West as she has been an active representative on behalf of her constituency in making sure that the needs of her community are well known.

I would like to make it clear that the \$14.7-million commitment from the Ministry of Health stands. We are aware that the Durham district health council has identified the expansion of Ajax-Pickering as its number one priority for Durham region. As the member knows and as she says quite correctly, the region has experienced rapid growth, particularly of young families, over the past few years. I want to say to her that, as part of the ministry's capital framework, we acknowledge the need to strengthen hospital services to meet future demographic growth projections.

Mrs Stoner: I thank the minister for clarifying the situation with the hospital.

One of the things that has happened recently was an article in the local newspaper which stated that the 70 long-term care beds which were part of the hospital expansion had been cut from the plans. I would like to know, what is the status of long-term care for Ajax and Pickering and for Ontario, and how

we will meet the needs of our elderly and chronically ill in the future?

Hon Mrs Caplan: The Ministry of Health, together with the Ministry of Community and Social Services, the Office for Disabled Persons and the Office for Senior Citizens' Affairs, is participating in long-term care reform in order to ensure that appropriate services are delivered in communities across this province in the best possible setting, whether that be in the hospital, in the institution, in the community or in people's homes.

As the member mentioned, I believe a real opportunity exists for Durham region to make the kinds of decisions which will lead us all confidently into the next century. There have been numerous consultations and, after discussion with the district health council and the hospital, an agreement was reached to defer construction of the 70 long-term care beds pending the outcome of long-term care reform.

I repeat that the capital commitment of \$14.7 million stands firm and that we are committed to meeting the needs of the people of Durham region.

#### INMATES' MENTAL HEALTH SERVICES

Mr Farnan: My question is to the Minister of Health. The minister's responsibility is to ensure the proper health care of all the residents of Ontario. Does she, as minister, know the percentage of mentally ill inmates or inmates with psychiatric disorders requiring treatment who are being currently housed in our detention centres and provincial jails and who are not getting adequate psychiatric care?

Hon Mrs Caplan: As the member opposite has referred to people who have been confined to correctional institutions, I would refer this matter quite properly to the Minister of Correctional Services.

Mr Farnan: The minister cannot-

The Speaker: I do not see the minister. Was that your answer? Well, supplementary to the answer.

Mr Farnan: The minister cannot refer this issue to the Minister of Correctional Services. Union studies estimate that 20 to 25 per cent of inmates in provincial jails are actually mentally ill and not receiving the treatment they require. When will this Minister of Health recognize that incarceration without proper treatment simply means the warehousing of sick people getting sicker? And when will she as the minister refuse to be a partner in the coverup and the neglect of the health needs of these inmates? When will she demand that these inmates receive the treatment they require?

Hon Mrs Caplan: As the member opposite knows, it is not within the jurisdiction of the Ministry of Health to decide when a person is sentenced to a correctional institution; a psychiatrist recommends whether a person should be referred for inpatient treatment or to a mental health centre. He knows also that the courts decide whether persons are sentenced to jail or whether they are sent to psychiatric hospitals. People in psychiatric hospitals are not inmates; they are patients.

#### HANDGUN REPLICAS

Mr Sterling: I have a question of the Solicitor General. It concerns replica handguns. An Ottawa city councillor, Darrel Kent, is proposing a bylaw to present to an Ottawa council meeting next week which is similar to a bylaw that they have here in the city of Toronto, which was implemented in January.

That bylaw bans the manufacture, sale and distribution of replica handguns.

As the minister knows, Canadian police chiefs have been lobbying for this kind of legislation for some period of time. Why are municipalities having to bring forward their own bylaws instead of this government taking some action with regard to this matter in provincial legislation? Will this government call up for third reading my colleague's bill, Bill 145, limiting the sale of replica handguns, as it is now in front of the Legislature?

Hon Mr Offer: The member opposite raises a very important issue. I am well aware of the member's piece of legislation, and it is certainly one which I have been looking at very closely. I think we have to recognize, in dealing with the particular piece of legislation, what its object is, what it is designed to accomplish. Currently there are provisions within the Criminal Code of Canada which very much would address many of the concerns raised in the member's private piece of legislation.

I think the member opposite should also be aware that this matter is very much within the scope and the jurisdiction of the federal government. Currently it is a matter which I believe could be best addressed and handled by the federal Minister of Consumer and Corporate Affairs, and the whole question of how these particular items are in the area of packaging.

But I would like to indicate that it is one we have looked at, that the Criminal Code of Canada currently does address much of the issue that is in the private member's bill, and I believe that is the best place and the most appropriate venue for this particular issue to be addressed.

#### 1520

**The Speaker:** That completes the allotted time for oral questions and responses.

#### **HOCKEY CHAMPIONSHIP**

Mr Sterling: On a point of of order, Mr Speaker: Since yesterday was a very historic event in the history of Canada, I was amazed today that the Minister of Tourism and Recreation did not congratulate our Canadian hockey team on winning the World Cup for Women. I would like to ask unanimous consent of the Legislature to make a statement at this time.

**The Speaker:** Members of the House, I know you listened carefully to the member for Carleton. Is there unanimous consent?

Agreed to.

Mr Sterling: On Saturday evening and yesterday afternoon, I had one of the most enjoyable afternoons and evenings in watching hockey that I have experienced over a long period of time. On Saturday evening, Team Canada played the allwomen's team from Finland. Canada won that game by a score of six to five and earned a berth in the finals on Sunday afternoon. On Sunday afternoon, as many people know, some 9,000 people from the city of Ottawa and the surrounding areas went to witness at the Civic Centre a tremendous game between the Canadian team and the United States team.

The game, I must tell you, Mr Speaker, is in many ways superior to the men's hockey as you and I would know it and have watched it many times in our local arenas. My experience with the tournament in both games is that it is not marred by the same degree of violence which is exhibited in men's hockey, that that the feeling with regard to the game being a game, for fun and for the exhibition of skill not only was exhibited on the

ice but was actually felt in the crowd by the people who were sitting in the stands near me and throughout the arena in Ottawa

I want to congratulate the Canadian team on its tremendous show throughout the tournament, I want to congratulate all of the participants on the tremendous show of sportswomanship and I also want to thank all of the sponsors and the people who have put forward a tremendous amount of energy in organizing this first World Cup. I only hope that some of the professional men who play this sport will take some of their lessons from the exhibitions which we saw over the weekend. I believe that this tournament will now grow and will encourage many of the women of our country and our province to become more involved with this tremendous sport.

I congratulate, on behalf of my party, all of the women on Team Canada on their tremendous victory yesterday afternoon. They represented Canada in the best possible way.

Hon Ms Hart: It is not usual that I get to stand up and talk about an area of activity which is not usually encompassed within culture, but I would argue that sport definitely comes within culture. That is why I am very pleased and happy to stand here in my place today to join with my colleague the member for Carleton to congratulate Team Canada on its spectacular win.

I cannot say that I am always an avid follower of the sports broadcasts in the morning, but today, because of the traffic, I just happened to catch some of the commentators and what they said about this game. One of them caught my attention particularly. He said—and I emphasize "he"—it was "an almost perfect game."

It is not very often that we hear that in any field of endeavour. The members of Team Canada and all of those people who brought this game to the fore so it is now in the forefront of international sport can be proud. On behalf of my party and on behalf of all of those in my caucus, I would like to say congratulations to Team Canada for a game very well played. We look forward to great things in the future from this team.

Mr R. F. Johnston: I watched the Finnish game and the American game on TV on the weekend and enjoyed them thoroughly. I thought it was wonderful. It was a great experience for Ottawa. It was a wonderful start for women's World Cup hockey worldwide, I thought. The whole tenor of it was tremendous.

I think it is really interesting that here we are celebrating Agnes Macphail, as we did today, and then as an afterthought—and I thank the member for Carleton for doing that—we are celebrating this win by a national team. If we think about how many times members in this House rise to celebrate a local male team that has done well internationally and also to celebrate national victories from time to time of men's hockey, it is interesting that we had to do this as an afterthought, but undeniably have to do it.

When you watched the television, you saw Ken Dryden being absolutely effusive about the style of play and Howie Meeker being apoplectically delighted with the fact they were not just dumping the puck in and chasing it. There were wonderful skills shown in terms of passing and skating in the game. It was really sort of everybody being surprised.

One might wonder why they were surprised when hundreds of women's hockey teams have been existing in this province now for years and years, and there is a good organization as well in the province of Quebec. I would just hope that this celebration and this recognition finally of women's develop-

ment in the field of hockey might move itself on to the Olympic sphere. Although we will not get it in the next Olympics, I would hope that the games thereafter will include women's hockey, because the quality of play and the excitement that was engendered were just splendid to watch. I do not watch hockey much any more these days but I actually watched both games on the weekend.

**Hon R. F. Nixon:** This is the fifth anniversary of the dissolution of the House advised by Premier Miller. I am rather surprised that the honourable members in the third party did not want unanimous consent to bring this to public attention.

#### **MOTION**

#### **COMMITTEE MEMBERSHIP**

Mr Offer moved that Mr D. R. Cooke be added as a member of the standing committee on administration of justice, that Mrs E. J. Smith be substituted for Mr D. R. Cooke on the standing committee on estimates and that Mr Epp be added as a member of the select committee on constitutional and intergovernmental affairs.

Motion agreed to.

#### **PETITIONS**

#### CARDIOVASCULAR CARE

**Mr D. R. Cooke:** I have a petition to the Legislative Assembly of Ontario. It deals with the death of 23-month-old Joel Bondy and was circulated by the Canadian Auto Workers, Local 444. It resolves that:

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the Minister of Health immediately set up an independent public inquiry to thoroughly investigate the health care circumstances which contributed to Joel Bondy's death; and that the government of Ontario and the Minister of Health seriously address the heart surgery waiting list, the critical care nursing shortage and the absence of a cardiac surgical unit in Windsor and Essex county."

It is signed by 3,600 people and myself from the Windsor area.

1530

#### TRAFFIC SIGNALS

**Mr Cousens:** In the presence of Dennis Robbins from my riding, and to the Honourable the Lieutenant Governor of the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the absence of traffic signals on Highway 7 at the entrance of Union Villa and the shops of Unionville Plaza in the town of Markham poses a serious threat to pedestrian and driver safety, we request that the Ministry of Transportation move immediately to install traffic signals at the abovementioned location so as to safely alternate a right of way between conflicting flows of vehicle and pedestrian traffic."

I have over 500 signatures that have been picked up by Mr Robbins, and indeed we need a traffic light there. Maybe this is one way of getting the Ministry of Transportation to do so.

#### WASTE MANAGEMENT

Mr D. W. Smith: I have a petition to the Lieutenant Governor and the Legislature of Ontario, and it is from the

residents of the county of Lambton regarding their concern about the responsibility of each municipality to officially deal with its own waste management. There are approximately 1,730 names on this petition and I will affix my name to the bottom of it.

#### **AUTOMOBILE INSURANCE**

**Mr D. S. Cooke:** I have another petition to the Legislative Assembly of the province of Ontario.

"We, the undersigned, hereby register our concern and protest over the exclusion of permanent mental disorders in the threshold definition of the new Ontario Motorist Protection Plan.

We respectfully request that the Legislature consider amendment of this proposed threshold definition to recognize the potential for permanent mental disorders resulting from a traumatic event such as an auto accident. To omit mental illness from the definition is discriminatory and implies that the resulting damages are neither substantive nor acceptable."

This is signed by 2,870 people, making a total between this petition and the last one of 6,470 people from the Windsor area who are fed up with this Liberal government.

#### SECURITY IN PREMISES USED BY PUBLIC

Mr Sterling: I have a petition to the Lieutenant Governor. "We request that the Ministry of the Attorney General withdraw Bill 149, An Act to amend the Trespass to Property Act, which we believe is unnecessary and without mandate.

"While we respect the rights of minorities and youth, whom Bill 149 alleges to protect, we oppose the way in which the proposed legislation will erode the ability of owners and occupiers to provide a safe and hospitable environment for their patrons or customers. We are further concerned about the legislation's potential for increasing confrontation in the already difficult process of removing individuals who create disturbances on publicly used premises."

This petition includes 570 names added to the 2,978 names that have already been on a petition. This brings the total to 3,548 who oppose Bill 149, the amendment to the Trespass to Property Act.

#### TRANSMISSION LINE

Mr D. W. Smith: I have a petition to the Lieutenant Governor and the Legislative Assembly of Ontario from 414 residents from the village of Alvinston. This community has approximately 568 electors. They are petitioning and they are concerned about the proposal by Ontario Hydro to route or reroute a high voltage transmission line through their community. They feel strongly that adverse health effects may result from such a powerful transmission line in their community. I have affixed my name to the bottom of that one as well.

Mr Laughren: Did Lorne Henderson sign it?

**The Speaker:** Probably. Are there any other petitions?

#### REPORT BY COMMITTEE

### STANDING COMMITTEE ON RESOURCES DEVELOPMENT

Mr Laughren from the standing committee on resources development presented the following report and moved its adoption:

Your committee begs to report the following bill as amended.

Bill 208, An Act to amend the Occupational Health and Safety Act and the Workers' Compensation Act.

**The Speaker:** Shall the report be received and adopted? You have some comments?

Mr Laughren: I do indeed have a few comments to make on the reporting of this very important piece of legislation back to the chamber. Members will recall—although perhaps not a lot of other people will—that this bill was referred out to the standing committee on resources development at the end of the last session, before the adjournment, at least for the break, and the committee was given the task of holding public hearings across the province.

We did indeed hold public hearings in January and February in Toronto, but also in Hamilton, St Catharines, London, Kitchener, Windsor, Ottawa, Kingston, Thunder Bay, Dryden, Sudbury, Sault Ste Marie and Timmins. When the bill was referred to the committee, part of the reference was that it would be reported back to this assembly on 26 March, which of course is today. I know the Speaker knows that.

I must say that because it was such a contentious bill, the scheduling was very difficult and very competitive. There were more than twice as many persons and organizations that wanted to make representations to the committee as were able to be scheduled, given the limitations on time that the committee had.

I am sure I speak for other members of the committee when I pay tribute to the clerk of the committee, Lynn Mellor, for the work she did in scheduling the best that could be done. Of course, I would be remiss if I did not also express my appreciation for the very special assistance that the committee had from the Ontario Federation of Labour in lining up the groups and helping us resolve any kinds of conflicts as to who should make presentations from the various unions and so forth. That was extremely helpful to us.

Our research assistant, Lorraine Luski, who prepared summaries of the presentations was right on top of it right to the very end, even though there was not much time to prepare the summary between the public hearings and the time that the clause-by-clause debate started. Finally, in terms of expressing appreciation, Tim Millard from the Ministry of Labour was of enormous assistance during the clause-by-clause debate when we were very much involved in the specifics of the bill.

The debate itself during the public hearings was extremely vigorous and sometimes angry. The committee members, I thought, dealt with the very vigorous debate extremely well, took their task very seriously and worked extremely hard as we travelled the province and then engaged in the clause-by-clause debate.

There is a very clear difference between management and labour over this issue of workplace health and safety. There seems to be not much difference over the basic principle that health and safety in the workplace should be controlled by the people there, namely management and labour, and not by an army of inspectors from the Ministry of Labour or any other ministry, namely, that the whole principle that was established under the Ham report 10 years ago, called the internal responsibility system, should be maintained but that in its present form it is not working properly and there needs to be some very fundamental changes to the legislation.

Everyone agrees or seems to agree that they want the internal responsibility system to work because only then are the people who have the most at stake the ones who are controlling conditions in the workplace. The alternative, as I said, to the internal responsibility system seems to be unacceptable to vir-

tually everyone, but agreement on the principle of the internal responsibility system does not mean that there is an agreement on how to make the internal responsibility system work better.

The labour movement understands very well what is at stake, namely, the lives of its membership, and it is not an exaggeration to say that. Therefore the labour movement quite understandably says that since it is its membership whose lives are stake, that is who should control workplace conditions, namely, the people who have the biggest stake.

There is no question that it is not working properly now. Since the existing legislation came into effect 10 years ago, there have been roughly 2,500 workers who have died on the job in Ontario and about four million workers injured on the job. If we project that number into the next 10 years, there is no reason under the present situation why those numbers will not be identical; we will lose 2,500 more workers who will die on the job in the next 10 years and four million more workers will get injured on the job in the next 10 years.

#### 1540

Surely to goodness in a jurisdiction as prosperous and, if I dare say it, as sophisticated as Ontario, that is intolerable. That is completely unacceptable. We must move heaven and earth to make sure that changes.

I am indebted to the Ontario Federation of Labour for some of the statistics it brought forward to the committee and I would like to place some of those on the record because I think they are extremely important.

If you translate the number of deaths on the job, it means that one worker dies on the job, on average, every working day in the province of Ontario. Up to the end of November 1989 there had been 339 worker death claims filed with the Workers' Compensation Board and, out of those, 272 had been recognized. Until the end of November 1989, again, there had been approximately 434,000 injury claims that had been submitted to the board. That is 1,800 workplace injuries every working day in Ontario in 1989 and 227 every working hour.

More disturbing than the bald numbers is the trend. Despite the fact that we have had this legislation in place for 10 years, despite the fact that there was general agreement in principle on the internal responsibility system, the trend of injuries and deaths on the job is extremely disturbing.

Since 1979 serious lost-time claims have increased more than 30 per cent. Since 1979 the number of permanent disability claims have increased more than 100 per cent. Members should think about that for a moment. The number of permanent disability claims, which means that a worker has a lifetime disability, has increased more than 100 per cent.

Surely it is completely unacceptable to have serious claims increase by 100 per cent in the last 10 years when you would think that matters would be improving, not deteriorating. I think most of the members on the committee, having seen those numbers and having listened to the way they were presented, understand very well that something must be done.

It simply cannot be tolerated to have serious claims increase by 100 per cent in the last 10 years. You would have to be optimistic not to say, "What is going to stop them from increasing by the same percentage in the next 10 years?" There is no evidence, but in 1979 there was no evidence that serious injury claims were going to increase by 100 per cent in the following 10 years either.

I am talking about injuries. There was a report a number of years ago dealing with occupational diseases. Dr Annalee Yassi did some work for Paul Weiler when he was doing work on

compensation and her estimate is that the number of deaths due to industrial diseases is grotesquely underestimated and that indeed there may be as many as 6,000 deaths every year due to industrial diseases in the province of Ontario that are something not recognized as industrial diseases.

There is much to be done. It is not as though the legislation, in some cases, is not in place; it is.

Listen to these disturbing statistics too: 78 per cent of workplaces were violating one or more sections of the Occupational Health and Safety Act—by the way, these statistics come from the minister's own advisory council in its 8th annual report, volume 2-seven per cent of employers with more than 20 workers had not established a joint committee, which is the mechanism under which the internal responsibility system is to work; 34 per cent of employers with designated substances with less than 20 workers had not established a joint committee required by the regulations; 30 to 40 per cent of workplaces with designated substances had not carried out an assessment of worker exposure or implemented a control program, required by the regulations; 35 per cent of the worker members on the joint committees had been selected by the employer in direct violation of the act; 40 per cent of worker members and 20 per cent of management members of joint committees had no training in occupational health and safety.

The existing legislation is simply not working appropriately and it is not being enforced appropriately, so something simply must be changed.

Because of numbers such as those and because the stakes are so extremely high, passions run very high when we talk about occupational health and safety in the province of Ontario. I shall not forget the sight of people making presentations before the committee and recalling an incident that happened in which a friend and co-worker had died, barely being able to continue as the tears came as they recalled how their colleague and friend had been killed on the job.

I think it had a profound effect on members of the committee. It certainly did on me. Sometimes those tears became angry as well and they were not simply tears; they were tears of frustration and tears of anger as people remembered how some of their colleagues had been killed in some cases, needlessly as well.

As well I shall not forget the pictures brought forward to the committee of underground toilet facilities in the mines in northern Ontario. Those pictures were reminiscent not even of the 19th century; they were reminiscent of working conditions you might expect in the 17th or 18th centuries in our underground mines. To have facilities such as those, to say the least, is demeaning to people who work in our underground facilities in Ontario. There simply have to be some changes.

There was a great deal of anger caused, I believe—I feel fairly certain about this—by the way in which the bill was brought to the public hearings and into the public hearings process. It was the fact that the previous Minister of Labour had presented a bill the labour movement felt it could accept, not without some misgivings, not without a lot of gnashing of teeth to accept some things it did not like and not without concerns because the public sector was not appropriately protected, even under the original act, but then when the new minister came in and made his proposed amendments, there really was a state of shock and anger across the province about what had happened.

People felt betrayed by the process because they had every reason to believe that the bill in its original form would be what the committee would be dealing with and what they would be making presentations on. So it is not hard to understand why there is a lot of passion around the issue of health and safety, and in particular around Bill 208, given the process that occurred and the sense of betrayal by many people in the labour movement out there.

Also it was not helped, quite frankly, by some of the language used by some of the presentations, particularly from the construction industry, that used some ill-advised language in talking about "irresponsible workers." That simply does not add to the working of the internal responsibility system. I do not know how you work with an employer who uses words like those. I know I would have enormous difficulty.

There was very real concern about the whole question of protection of public sector workers. The example was used again and again that if an ambulance driver knew for certain that an ambulance was not safe because of its brakes or steering, for example, under the bill he would not have the right to refuse to drive that ambulance. That surely is ridiculous. We are talking about protecting not only the worker but the person who will be transported in the ambulance. So there simply must be changes in the parts of the legislation that deal with the public sector. It is unacceptable to treat the public sector as second-class citizens. Those are our employees and we must look after them appropriately.

#### 1550

I do not intend to speak long this afternoon, but it is time for a new era in health and safety in the province. I quite frankly do not know if the new health and safety agency this bill will establish will usher in a new era; I think it is too early to say at this point. I desperately hope that it does.

I recall that when the existing legislation was brought in 10 years ago, there was an enormous sense of urgency to it and it became a priority. Everybody put a lot of work into creating the original bill that created the system we have now. No less an effort must be put into making this change because it really is just as important, if not more important, because everyone thought that what was put in place 10 years ago was a major breakthrough and would solve a lot of problems. We have seen from the statistics I just presented that it has not solved all those problems.

Even though there is an agreement that the model is going in the right direction, the internal responsibility system, it has not resolved the problems. Therefore, that internal responsibility system simply must be beefed up. It must be given more muscle by the people who have the most at stake, the workers on the job. That simply must be done, but it is going to require an enormous effort on the part of the ministry to make that happen and to get back some of the goodwill that was lost through the process of jerking around people when the government changed the bill from the original Bill 208 to the present Bill 208. There has to be some work done to gain back some goodwill because otherwise there is going to be enormous suspicion and mistrust around the process. I really believe there is too much at stake to allow that to happen.

When you think about it, what higher priority should there be than the protection of those people who create the wealth in our society? We laud them for the work they do, we are pleased that they have plugged into the system and are out there working and creating real wealth, but then we do not adequately protect them when they do so. We simply must set a higher priority into protecting those people.

We need what I would call a three-pronged approach to the protection of workers in the province of Ontario. We need to put more emphasis on prevention—this should be the mechanism

for doing that—more emphasis on income protection and maintenance when an accident does occur and more effort into rehabilitation of people who do get injured.

I would put to the minister that the proper mechanism for that is a universal sickness and accident system based on the model that is now in existence in New Zealand. It may be that we would need to adapt it to the particular needs of Ontario because we are different, we are a more industrialized society than New Zealand and our population is greater, but it could be that the present system is outdated and inappropriate.

I do not know; it is beyond me how anyone can establish the cause of some deaths. Yet, to be a claim before the Workers' Compensation Board, you must establish the fact that it is related to the job. I would put to the members that very often that is simply impossible to do. When it is in doubt, it is not considered a legitimate claim. We simply must move to a new model of health and safety. I know that this bill does not do it.

I know that the new health and safety agency is going to be a very important agency if it gets off the ground properly with the support of everyone; it is going to be a very important agency. I would hope that will be simply stage 1 in a new era in health and safety and that stage 2 will be the universal sickness and accident program that ties in prevention as one of its main components. Only then do I believe we will have even the mechanism available to improve health and safety on the job in Ontario.

I will conclude by simply saying that I believe the minister should listen very carefully and consider some more amendments that have been proposed by the labour movement to protect workers on the job. I do not think he has gone far enough in the protection of public sector workers.

I am very nervous about the language in the bill. I know we are not debating clause by clause here and I will not get into it, but I am very nervous about the wording in the bill surrounding work activity and I think that should be looked at very carefully. I trust the minister's mind is not closed on further changes to the bill as we move into the clause-by-clause debate in this assembly.

Hon R. F. Nixon: I have been asked by the House leader to indicate to the House that the government would like the debate postponed until a more convenient time. Normally when a chairman brings a report of this type to the House, particularly when the business has already been discussed, it is expected that it will be adjourned, but of course the honourable member for Sudbury, being senior and well tanned, is handling the role in his own inimitable way and his speech as usual was very useful. So we will be returning to this important item when it is agreed upon by the—

Mr D. S. Cooke: You were supposed to let Margaret speak.

Hon R. F. Nixon: That was not my instruction. Normally there is just one speaker, and I am not making a speech, I am moving the adjournment.

The Deputy Speaker: That is what I thought you were doing.

On motion by Mr R. F. Nixon, the debate was adjourned.

Mr D. S. Cooke: Mr Speaker, I know the motion has been carried, but in conversation with the government House leader there had been an arrangement made that our chairman of the committee was going to speak, the Conservative member of the committee was going to speak and then the government was

going to move adjournment of the debate. That is the arrangement that had been made. I am surprised that you would recognize somebody who was not next up in the rotation—it would be a Conservative—and that then a motion is moved which I would consider to be totally out of order, since he was not even next in the rotation.

The Deputy Speaker: I wish the member had brought this to my attention before I called for the—

Mr D. S. Cooke: I thought he would have got instructions right from the House leader.

**Hon R. F. Nixon:** Where is this rotation stuff in the rules? A member has the right to rise on behalf of the government and move the adjournment. We have other business to do.

**Mr D. S. Cooke:** You tend to rise when you want to rise—Interjections.

The Deputy Speaker: Order, please.

When the member for Nickel Belt finished, it was my understanding that there might—as usual, we look for rotation, which is normal practice. I did not see anybody standing up.

Mrs Marland: Oh.

The Deputy Speaker: That is what I observed. The Treasurer stood up and moved adjournment of the debate and nobody stood up to discuss this or whatever. I called and nobody interrupted me.

Mr D. S. Cooke: It is hard to look to the left and to the right at the same time.

The Deputy Speaker: Usually it is a lot easier than that to notice when people want to call it.

Mrs Marland: Mr Speaker, in fairness, I was sitting here prepared to follow the chairman of this committee on this bill. In fairness, I was watching you totally, knowing that I was the next speaker in rotation, and you looked right to the Treasurer. With his renowned position in this Legislature we all hold him in great respect. It never would have occurred to us that he was going to rise on anything other than a point of information or a point of order, and there was no opportunity for the rotation to take what is normally understood between the House leaders as due process. I take exception to the comment that you did not see anyone else stand to speak in rotation, because it is very difficult to see to the left when you are looking to the right.

#### 1600

The Deputy Speaker: If members wish to speak, I expect them to stand up to be recognized. Members may know they want to speak, but the Chair does not know that. If the member rises I will recognize her in the usual rotation, but if the member sits there the Chair cannot assume that she is going to speak. Members should not expect the Chair to know what their plans are. Maybe leaders make arrangements, but the Chair is not part of those arrangements.

Therefore, is it the pleasure of the House—the government

House leader.

Hon Mr Ward: If I could intercede, Mr Speaker, in discussions earlier today it was indicated that the chairman of the committee would have a brief statement at the time of the introduction of the committee report. It was my understanding that a member from the third party wished to speak. The member who gave some indication that he wanted to speak is not here. If the

member for Mississauga South wants to take her turn in the rotation and stand in her place and do so, certainly we have no difficulty with that.

As I indicated to both House leaders this morning, it was our intent to adjourn the debate when it came to our spot in the rotation. I cannot speak to the fact that the member may or may not have stood in her place. Only you can do that, Mr Speaker.

The Deputy Speaker: Could we have an agreement here to reopen this debate and allow the member for the third party to speak on this?

Agreed to.

The Deputy Speaker: The member for Mississauga South, now that she is standing, I recognize.

Mrs Marland: I would like to be very clear about under what conditions I am now permitted to speak in this House. The Treasurer says that I may speak all afternoon; someone else said that I may speak briefly. I understood that there was an agreement between the House leaders, and I point out to the government House leader that I am the spokesperson for Labour; I am not just the member for Mississauga South taking a turn and rising in rotation in speaking to this bill.

I travelled with this committee and attended every public hearing on Bill 208, and I was rising in my seat, at which time the Speaker recognized the Treasurer. I think, in fairness, that if the government House leader wanted to adjourn the debate, why did he not arrange that with the House leaders instead of coming in at the last minute with this change in process? But it is rather typical. It is very typical of the fact that this Liberal government does not have a clue what it is doing.

Interjections.

The Deputy Speaker: Order, please.

Mrs Marland: This Liberal government treats everything with the same condescension and disdain. They do not take anything that the opposition parties do—

Hon Mr Ward: On a point of order, Mr Speaker: Is the member speaking to the motion that is before the House? And just on a point of information, I would point out that the standing orders require the government to lay forth its order of business every Thursday. I would remind all members of the House that when that was done on Thursday it was indicated that today we would be dealing with an interim supply motion. Mr Speaker, I would ask you to call the member to order to speak to the motion.

The Deputy Speaker: The member will address the point.

Mrs Marland: Mr Speaker, do not let the government House leader confuse this House. When I am talking about the confusion in the minds of the Liberal government, I am indeed addressing this motion, because the very fact that this bill before this House is being reported at this time, the very fact that this bill has 32 amendments, speaks for the efficiency of the Liberal government in terms of whether or not it knows what it is doing. I would be embarrassed, frankly, to be a member of any government that presents a bill and then presents 32 amendments in order to clean it up a little.

The fact is that this bill is so poorly drafted it should have been returned and rewritten, if this government really were committed to the interests of occupational health and safety and the business and industry of this province. It is obvious that this government does not take its responsibilities seriously. They table a bill and then they decide that the only way they can get around the fact that it is a poor bill is to change the minister. Even with the change in minister, they are not fortunate enough to appoint someone who is at the point of his appointment fully cognizant of what the existing bill contains.

Frankly, we as Progressive Conservatives believe completely in occupational health and safety. It was our government that initiated and drafted the first statute of this province that addressed occupational health and safety. So our record is very clear. We also addressed the fact that the enforcement of any statute is the only way protection in this case can work.

I think this government should recognize that when it brings in a bill that later requires 32 amendments, it really begs the question. First of all, they change the minister thinking that will clean up the bill. Now they are looking at 32 amendments to clean up the bill. It is really almost laughable if we look back over what the process has been with this particular legislation.

I am actually quoting the words here of the then Labour minister, the member for York Centre, who made this statement on 24 January 1989 when Bill 208 received its first reading. He said, "Since 1985 the Ministry of Labour has been actively and aggressively involved in the reform process that directly addresses the government's commitment to improving the quality of the workplace environment." That is an interesting statement in itself because I do not know how a government can aggressively and actively be involved in anything when it does not speak to the groups that are affected. They did not speak to business and industry around this province and they certainly did not discuss any aspect of the proposed bill with the workers and the unions in this province.

That statement is simply a pointless statement on the part of the then minister, but then I guess the government began to realize that the member for York Centre was not representing the government's best interests. So they decided that, rather than change the bill, they decided to change the minister.

Obviously, it is clear that this government still lacks an understanding of the issue of occupational health and safety. We have got Bill 208 and they are going to place 32 amendments and in fact did bring forward some of those amendments in committee. This is obviously the government's third attempt to get this bill right. Its so-called reform process is five years old and the government still lacks a true understanding of what the issue is.

I think it is significant that the key interest groups complained that they were not properly consulted by the ministry. The Premier's reaction by dumping the former Labour minister and replacing him with the present Minister of Labour has really been a very interesting situation for us to observe because at one point the former minister said he did not have time for public hearings. It was a perfect bill; it did not require public hearings. The first thing the new minister did was to call for public hearings.

As a member of the resources development committee that travelled this province and held public hearings on Bill 208, I want to say something about those public hearings. The stories that workers told the committee in every city we held public hearings in around this province were heart-breaking, but they were not stories that could not be corrected under the existing legislation. Frankly, workers in this province, if the government were acting responsibly, could be protected today under our existing occupational health and safety laws. But they are not,

and the reason they are not, I think, has to lie at the feet of this current Liberal government.

#### 1610

When you hear the heartbreaking, soul-rending examples of accidents and deaths around this province in the workplace, you have to wonder why there has not been a solution and a remedy in order to prevent those accidents. You also have to wonder why, even with Bill 208, there would be existing still a double standard in terms of occupational health and safety between the private and public sectors. This Liberal government wants to add more legislation, more rules and regulations, to try to protect workers and, at the same time, only apply the weight of those rules and regulations against the private sector and not apply it to its own staff, its own employees.

Some of the examples that we were given through some of the public employees, be they ambulance drivers or correctional employees, are very serious and should be remedied. There is no reason why a government that is committed to occupational health and safety, had it consulted these groups before it drafted Bill 208, could not have come up with a piece of legislation, quite frankly, that would work in everybody's best interests.

We heard from in excess of 160 groups around this province. I think we received over 350 briefs altogether, but we actually heard in person from over 160 individuals and organizations. We still feel that the Minister of Labour does not yet have a good understanding of the bill. He was asked in the Legislature on 16 October 1989 about whether or not the government was still committed to the original wording of Bill 208. The minister responded, and I quote, "It may very well be that the best solution is the one that we have currently in the bill." Again on 16 October, the minister stated in the House that the government was committed to discussion on Bill 208, not necessarily to Bill 208 itself. At that time the minister said, "What I said in my remarks was very clear, that we want to have broad public" discussion.

We feel that the current Minister of Labour is a master of euphemisms. This minister purposely remained fuzzy on Bill 208, hoping to be rescued by the public hearing process. In his speech on second reading of Bill 208, the minister reaffirmed his support of the principles of Bill 208 no less than seven times. He said that Bill 208 will help establish partnerships no less than nine times. You have to wonder what kind of partnership can be established between any government and its legislation when that government chooses to ignore the employers and the employees. The concerns of business and industry around this province, along with the concerns of employees, are very real, but the partnership could work, if only this government would choose to listen. But this government has chosen not to consult and therefore not to listen.

We feel that this legislation is another example of the Liberal government's "Ready, fire, aim" approach. The government approached the key players for serious discussions only after the bill had received first reading.

Another thing that is really contradictory in this legislation is the fact that the minister, when he came back to the committee at the end of our public hearings, presented a 12-page speech. This in itself is interesting. The minister, as he will tell you himself, had a 12-page speech and an eight-page speech, and it depended where you were as to which speech you received. The public, through a press conference, and those people who attended that press conference, received a 12-page speech.

I should point out that the committee members were insulted by the fact that this minister, on this bill that is very significant to the future of business and industry in this province, held a press conference ahead of coming into the committee and telling the committee members what was now to be contained, through amendment, in the bill. This press conference was held about two hours, I think, prior to the committee hearing.

We go into the committee hearing. We do not have the benefit of even having been invited to or informed about the press conference. So, after the fact, the committee members are told what is now the position of the Minister of Labour in this province. But we were told, interestingly enough, with the eight-page version of his speech. It was only after I adjourned the committee hearing while we were given a complete copy of what the minister's statement was that we could then know what it was we were dealing with.

We felt not only that this was insulting to the committee members who had travelled this province and worked very hard for six weeks listening to the public comment on this bill but we felt it was very insulting that the minister would not have held his press conference after he made his comments to the committee.

But I think what is significant is that in his 12-page speech, which, as I have said, is different from the eight-page speech, the minister said on page 2: "Carrying the principle of joint responsibility another step, Mr Chairman, Bill 208 will require the joint health and safety committee in every workplace to inspect that workplace, or part of the workplace, for health and safety standards at least once each month."

But then if you go to the eight-page speech of the same date, on page 4 you will read another statement from this Minister of Labour: "We're offering specific incentives to companies that have a good track record. A high-performing workplace could be offered the benefit of fewer Ministry of Labour inspections."

I think that says it all. We have two speeches from this Minister of Labour on the same day and we have two contradictory paragraphs, one in one letter and one in the other. On the one hand, he is saying that there must be health and safety standard inspections at least once every month, and in the next statement he is saying, "If you're a good employer and you're a high-performing workplace, you could be offered the benefit of fewer Ministry of Labour inspections."

I would like to know what this means to the workers and also what it means to the employers. It is such a bureaucratic mess. How do you know that you have a high-performing workplace in terms of occupational health and safety if it is not inspected? Do we just react when there is an accident? How do industry and business manage their time and their scheduling if they are told that if they are high-performing they will not be inspected?

In other words: "If you're good, we won't inspect you. But of course we will have no way of knowing whether you're good, because we're not going to follow our original recommendation that we will have an inspection at least once each month."

#### 1620

The truth of the matter is that without this bill, business and industry in this province, for the most part, are not afraid of occupational health and safety inspections. The good employers who operate conscientiously—and I may say we had very many examples of where the workplace standards and industrial

hygiene are far higher than anything that this government requires. If you fall into those categories and you never get inspected, nobody ever knows that you are doing a responsible job in terms of protecting workers. Business and industry in this province are not looking for more bureaucracy, are not looking for more legislation. They are quite happy with enforcement of the current legislation, but as my colleagues in the New Democratic Party, I think, pointed out at every public meeting we had, we have something like 287 inspectors in this province for occupational health and safety but we have 328 for fish and wildlife.

So it is a matter of this government deciding what its priorities are. Most important, it could be a matter of this government wanting to listen to those people who are affected by legislation that it drafts. We in the Progressive Conservative Party do have concerns about Bill 208 as it is presently drafted. It is not very clear to us where this government is going with its 32 amendments. I think it is important for us to tell the House that there are areas of concern that we have and that we as a party, as Progressive Conservatives, do believe in and support a democratic Workplace Health and Safety Agency structure.

We do believe in consultations with outside representatives from the medical, safety and scientific professions and we do believe in enhanced health and safety education, training and awareness programs, but none of that is new. Those are all the areas that any responsible, professional business and industrial employer also believes in. This government does not seem to give anybody credit for anything. They seem to think that they have dreamed up a whole lot of areas that have never been addressed before. Most of these practices are followed by most of the employers.

It is like anything else where we have an exception: It is the exception that must be dealt with. And we do have exceptions in safety, the same as we have exceptions in everything else, and it is those exceptions that must be dealt with immediately. But to blanketly throw out, over everything in terms of employment and places of employment and the workplaces around this province, a piece of legislation that has not been drafted with full input of the parties that are affected simply does not make sense.

When we get into committee of the whole House to deal with the government's amendments, I think this House will hear very clearly that there is very real confusion on the part of the Liberal government in terms of occupational health and safety in this province and that, after all is said and done, some credit for that workplace operation has to lie with the responsible business and industry.

In closing my comments this afternoon, I guess I must humbly thank the government for allowing me to speak after all the harangue that this debate started with earlier this afternoon.

The Deputy Speaker: Fair enough. I make this note, that if members all read again standing order 22(a), maybe these things will not happen. It says very clearly, if a member wants to be recognized to speak, that member has to stand up in his or her place.

Hon Mr Ward: As has already been indicated by the Treasurer earlier on, certainly there are members of the government who would wish to speak to this committee report, and that will occur when the debate is resumed on consideration of this committee report. I will move adjournment of the debate so that we can proceed with other important matters.

On motion by Mr Ward, the debate was adjourned.

#### ORDERS OF THE DAY

#### INTERIM SUPPLY

Mr R. F. Nixon moved resolution 29:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing 1 April 1990 and ending 30 June 1990, such payments to be charged to the proper appropriation following the voting of supply.

Hon R. F. Nixon: This is our standing interim supply motion, which will account for the expenditure of approximately \$8.4 billion between 1 April and the end of June. The transfer payments that will be covered will include the update of grants to hospitals, all family benefits and the payments to municipalities. The general welfare assistance payments are due to the banks that make the payments by 27 March so that they may be paid by 2 April. The value of those general welfare assistance payments will be \$25 million. The education legislative grants are due at the bank on 28 March, two days from today. Value: \$35 million.

I was interested in the exchange a few moments ago. The New Democratic Party members indicated, in their usual general way, "You are not getting the money today, Bob," which I presume means that we are going to hear some general debate, which is the right of any member. I feel, however, that the members should be informed that although our rules permit a general debate on this motion, if the motion is not passed today I, as Treasurer, am telling them that the payments I have listed will be late and that the dislocation associated with that will have to be considered.

I know that does not mean very much to anybody, but as this period gets later and later, all members of the House will have to share in the responsibility, particularly for the GWA payments, which should be placed at the availability of the various agencies by 27 March.

So I simply say to the honourable members that while they have many parts to their armoury and many arrows in their quiver, it is going to be very difficult to use this in any significant way to make a point on an entirely different matter of public importance. I am certainly familiar with the concern of the opposition parties with both bills that are before the House and I would suggest to them that we give approval for this routine payment, if possible, today. If it is not possible, then I tell the House that many of our citizens will be put to unnecessary inconvenience.

Mr Laughren: I am certainly prepared to accept my share in the responsibility for beginning this debate the day before it must be completed, as long as the Treasurer is prepared to accept his responsibility for the scheduling at this place.

Hon R. F. Nixon: The New Democratic House leader said we would be doing it all afternoon, and the member insisted on intruding his useful speech earlier. That was the announcement last Thursday. Where did his speech come from?

**Mr Laughren:** I am talking about the fact that we are dealing with the supply motion today. That is the point I am trying to make, not some earlier point.

Hon R. F. Nixon: Oh, there is a point.

Mr Laughren: It has always been my understanding that governments determine the order of business, not the opposition.

Hon R. F. Nixon: That's right, and it was approved by all House leaders last Thursday that we would do interim supply, not a debate on Bill 208.

**Mr Laughren:** Will the Treasurer tell me how it was then that the government had agreed that today would be used for a debate on Bill 208?

1630

Hon R. F. Nixon: No, they didn't.

Mr Laughren: They did.

Anyway, on the previous debate the Treasurer was proven wrong when he pretended that there was not an agreement that the third party would debate Bill 208 this afternoon as well. I think he should leave the House leader's duties to the House leader and stop trying to play both roles again.

**Hon R. F. Nixon:** On a point of order, Mr Speaker: I was asked to assist the honourable members by acting as House leader during his brief absence, and all of us would agree that interim supply is almost as important as the weird little political games that the honourable member has in mind.

Mr Laughren: The Treasurer may have been asked to assist the government House leader, but he did not. He was of no assistance whatsoever, either to his House leader or to anyone else in the chamber.

I can tell the members that the Treasurer's speeches, in wanting to spend \$8 billion of government money, are a lot shorter now that he is in government than when he was in opposition.

Hon R. F. Nixon: I'm still here and you're still there.

**Mr Laughren:** That is absolutely correct. I do not know what that is supposed to mean, but that is absolutely correct.

The Treasurer comes in today and lays \$8 billion worth of spending before us and says, "Now, we've got an hour and a half and you'd better get it through or it's going to be on your heads if people don't get their cheques on time." That is exactly what the Treasurer is saying to us. I know that there are certain privileges to being part of a majority government, but I would have thought that, given the Treasurer's long service record in this chamber, he would not resort to those kinds of tactics, that having been exposed to them and been a victim of them by the previous Tory government, he would be more sensitive to those kinds of ploys and tactics with himself as Treasurer.

The Treasurer is quite right when he says that the rules provide for a very wide-ranging debate on a supply motion, given the nature of the supply motion itself; namely, the spending of \$8 billion to make the functioning of Ontario at least as efficient as this government is able to make it, with, of course, the assistance of the opposition in passing supply motions.

The Treasurer is not going to have as much fun being Treasurer in the next year or two, or next year at least, as he has had in the past, because all indicators are that it is not going to be as easy a time. The Treasurer has been the Treasurer at a time when Ontario was unusually prosperous, remarkably prosperous, and the only thing that grew more rapidly under the Treasurer's regime than the economy was food banks in the province, particularly in Metropolitan Toronto and in the city of Toronto in particular. Despite the incredible prosperity we have seen in Ontario in the last couple of years, there are still thousands of people using the food banks, in Toronto in particular; and there are still thousands of low-income families paying income tax, even though we all know that they should

26 MARCH 1990 151

have been exempted long before this, and there are still people who are homeless in Ontario. The last statistic I saw was that there are 10,000 homeless people in Toronto alone. Surely this is a blemish on the Treasurer's record.

As we come into an era or a period of time when it appears there is going to be an economic slowdown, there is a very real danger that the people who will carry the burden of that slowdown will be the very people who are least able to absorb it, and also, I might add, the people who are least to blame about causing any kind of economic slowdown.

We know that the federal cutbacks are going to cause problems for the Treasury in the province. I would only say to the Treasurer that he not engage in some kind of hand-wringing and cries of despair and blaming the federal government for all of Ontario's problems. This province is an incredibly prosperous province, and you need only drive around southern Ontario to see that fact.

More important, this Treasurer must not—must not—continue to pass on the problems he has with the federal government to the local property tax payers all across this province, because that is what the Treasurer is doing, and it is really pathetic to see the Treasurer expressing anger at the federal government for doing the very same thing that he has been doing to the municipalities and the school boards all across Ontario.

It is time that the Treasurer took a new approach and decided that it was time that he was committed to making Ontario a fairer place to live. We must have a more progressive tax system in the province. We must do more to eliminate poverty in the province. If we have not been able—I should not say we; we have been trying to get him to move—if the Treasurer has made no serious effort to eliminate poverty in Ontario at a time when we were extremely prosperous, what hope is there if we are now heading into a time of economic slowdown? I despair that if we were not able to do very much at a time of remarkable prosperity, what is going to happen when there is a slowdown?

As a matter of fact, it is clear that the gap between the rich and the poor in the province has increased since the Liberals came to power in 1985—has increased. There are more rich and there are more poor. Surely that must weigh heavily on people who consider themselves true liberals in the historical sense of what a liberal really is. That must weigh heavily on those people. I know that there are Liberals who are more conservative than they are liberal, using the small c and the small l, and for those people I am sure it does not bother them, but for people who are true small-l liberals, it must bother them a great deal to see the Treasurer in his place, year after year, doing nothing about the increase in poverty in Ontario.

Oh, there was the Social Assistance Review Committee report, known as the Thomson report, but that has not solved the problem, because this government does not approach it in a wholehearted way with a determination to eliminate poverty in the province.

I said one other time, and some of the Liberal members took offence at me, that this government's idea of a war on poverty would be to throw stones at beggars. I was exaggerating slightly, but believe me, the idea of setting up and encouraging food banks as a way to resolve the problem of poverty is really offensive in 1990 in this jurisdiction. Every Liberal should be embarrassed at the presence of over—I think there are about 80 food banks in Toronto right now. Surely they are embarrassed that these food banks have grown since they came

to power. They were not there before, or if they were, they were in much smaller numbers.

I do not know how they live with that fact. It must bother them a great deal, because at the same time that has been happening, we have been trying to put pressure on the Treasurer every year to bring in a new system of taxation that will remove those very people, some of whom are using food banks, from the tax rolls, but the Treasurer does not do it. There are still people earning thousands of dollars below the poverty line who are paying income tax to Ontario.

Surely we do not need it. Surely this province should not be taxing people below the poverty line, and the poverty line I am using is the one established by Statscan. It is not my definition of poverty; it is Statistics Canada's. They can tell me how they justify someone who is living below the poverty line paying income taxes in Ontario. They simply cannot. I do not believe they can justify it, period.

It is not as though the Treasurer is not getting lots of assistance, or lots of advice, at least. Now I see the member for Mississauga South is advising the Treasurer on fiscal policy. That truly is scary. Nevertheless, he is getting lots of advice. One of the reasons the standing committee on finance and economic affairs was established, it is my understanding at least, was to provide advice in the prebudget period to the Treasurer of Ontario. There has been no lack of advice for the Treasurer.

#### 1640

For example, some of the suggestions I was glancing at called for the Treasurer to increase social assistance levels in the province in his budget that is coming down in May, I believe, although we do not have a date yet, to increase comfort allowances, to provide financial and legislative support for affordable, accessible housing, to continue to reform the supports to employment program, the STEP program we have in the province, and to increase funding to the assistive devices program for disabled persons. Surely those are not burdensome demands, and we will be looking forward to the Treasurer's response.

There also were many suggestions before to the standing committee on finance and economic affairs, and concerns about what they call the feminization of poverty, the increased number of women who are living in poverty, and in turn, because a lot of these people are single mothers, they are involving child poverty as well. Surely that must be bothersome to Liberals.

What we need is government initiatives to provide affordable child care, to establish mandatory pay equity and affirmative action programs, to improve the training opportunities available to women and to increase the minimum wage. I believe it is only in a couple of weeks that my colleague the member for Hamilton East will be presenting for deliberation in this chamber a private member's bill or resolution—

Mr Mackenzie: This Thursday, this bill.

**Mr Laughren:** —this Thursday—a private member's bill to increase the minimum wage to a more decent level.

I have never understood why governments do not understand about minimum wage and how it is that if one wants people to be working, one must provide a decent minimum wage, because why would one work at a minimum wage that is ridiculously low? It does not make any sense. If you want to have the people at work, then you have to provide a minimum wage. When you do not provide a minimum wage, you are

really subsidizing the employer who is paying them at an inadequate level.

I have never believed that the feeding of children in the province should be subjected to any kind of cost-benefit analysis. I would really find that offensive. But the Federation of Women Teachers' Associations of Ontario in its prebudget process pointed out that all the studies indicate that for every dollar we spend on young children, we save up to \$7 later on social welfare, prison, psychiatric treatment and so forth. So every time we spend a dollar on young children, it comes back sevenfold. If that does not convince the Treasurer that it is a good investment, then I do not know what will. In other words, elimination of poverty now pays off later.

This majority government has the means to eliminate poverty in the province, and one way of doing it is to tax more responsibly than it is doing now. It is not the only way, of course. I mentioned raising the minimum wage. That would be an important step. But also, we need a much fairer system of taxation as well. Everyone simply has to pay his fair share.

You cannot tell me, as I look around a place like Toronto, that everybody in this province is carrying an equal burden. It simply is not happening. There are people out there who obviously are not paying their fair share, so we simply must eliminate provincial taxation for the working poor, for those people living below the poverty level, and bring in an increase in the tax credits.

When the tax credits were introduced by the former Conservative government back in 1974—I am not sure of the year, but a considerable time ago—there have been increases every year, but the value of those tax credits to taxpayers now is less than the day they were introduced, because they have not even kept up with the rate of inflation. So there needs to be a major increase in the tax credits, which are at least one way of protecting low-income people in Ontario.

Another way that poverty must be attacked is on the housing front. There is a very real housing problem in this province, and this fact has once again been driven home to the Treasurer in the prebudget consultation process. Let me provide some statistics for the Treasurer: Over 60,000 people in Ontario are paying more than 30 per cent of their income for shelter; eight out of 10 cities in the province have vacancy rates of less than one per cent; 82 per cent of social assistance recipients are housed in the private sector; in Metropolitan Toronto, those people are paying 64 per cent of their benefits each month for rent.

Provincial spending on housing in 1989 was only 1.3 per cent compared to between three per cent and four per cent in the mid-1970s. Can the Treasurer justify spending 1.3 per cent on housing compared to three per cent to four per cent on social housing in the 1970s? I know the present Minister of Housing would like to get a bigger chunk of that—I assume—which is why I am addressing these remarks to the Treasurer and not to the minister. I assume he is trying to do his job to squeeze the money out of the Treasurer, but I am not sure that he is having much luck.

People suffering from lack of affordable housing suffer not only discomfort but a whole host of problems, many of which are debilitating to their health, to their education, to their ability to find work and to their self-esteem. The poverty cycle that the lack of affordable housing can set off creates many expenses to society.

Once more, I would use the same argument that an investment in the poor today pays off in the future. I know that is a view that I do not believe the Treasurer shares. I do not think he has ever been convinced that an investment in the poor will pay dividends in the future. I think he just feels that the poor are always with us.

Hon R. F. Nixon: It is a singularly heartless way to refer to payments that are needed, as a "social investment."

Mr Laughren: That was the point I was trying to make, that there does not seem to be any other way to get the Treasurer to listen to spending money but to say that it is a good investment. I thought maybe if I used those words, the Treasurer's ears would perk up. They did, too.

**Hon R. F. Nixon**: So that is your excuse for sounding like a tycoon.

**Mr Laughren:** No, that is not my excuse. I said at the beginning—I know the Treasurer was preoccupied—that one thing I disliked was applying some kind of cost-benefit analysis when discussing these kinds of problems.

**Hon R. F. Nixon**: That is the way you are approaching the issue. It is very strange, almost incomprehensible.

Mr Laughren: I think the Treasurer should go through some of the presentations made to the standing committee on finance and economic affairs and he would see what the people out there who are working with these groups are saying. That is exactly what they are saying, "If we can't convince you any other way, can we convince you that a cost-benefit analysis means that it is a good investment for the province of Ontario?" In the Treasurer's prebudget consultation, numerous groups called for an increase in the Ministry of Housing's share of the total provincial budget to three per cent a year. That is a major increase. However, I would remind the Treasurer that it would only get him up to the level that was there in the 1970s, when there was a housing crisis as well.

We must improve the level of commitment to a federal-provincial housing program to the point that an additional 20,000 units of affordable housing could be built in each of the three years through the combined federal and provincial resources; to commit \$100 million a year for three years to the purchase of multiple-occupancy dwellings, especially rooming houses; to bring them under nonprofit management; and to provide financial support for the provision of the Planning Act that requires that 25 per cent of all new housing be made affordable, such as providing funding to encourage nonprofit housing within that 25 per cent.

These are all suggestions that have been made to the finance committee and that I hope the Treasurer is getting briefed on by someone so that he has a sense of what people out there want to see happen in the province. People out there do not expect a free ride from government, they simply want a fairer system, and that is what they feel very strongly they are not getting.

The suggestions the Treasurer is getting do not all have to do with spend, spend, spend. There are also some suggestions on how to generate funds for those expenditures. If there is one thing I feel this caucus has done over the last few years, it is that when we do respond to his budgets, and even in the prebudget presentation that we do from time to time, we always say, "This is how we would raise the money." I know it is easy to talk about expenditures without talking about revenues. We try to avoid that trap and say to the Treasurer that there are ways of raising this money. We have been very specific on how to do it. The Treasurer has not taken this advice. Of course, that is his prerogative, but we think he is wrong.

Here are some of the suggestions put to the Treasurer: Set aside all moneys generated from the sale of government land not suited to housing and use that revenue for affordable housing initiatives. Projections indicate that the commercial concentration tax, which was also a brainchild of the Treasurer, will generate more revenue than anticipated. The surplus could be set aside for affordable housing in the greater Toronto area. The Treasurer could implement a land speculation tax—I think he has heard about that—to dampen the increase in housing prices caused by speculation and, as well, set aside any revenues generated by the tax for affordable housing.

#### 1650

I understand, and I know the Treasurer does too, that a proper speculation tax on housing would not raise much money; it would simply discourage speculation. That really should be the purpose of a land speculation tax, and if it is done properly, it would indeed do that. As a matter of fact, there is a history in the province of a speculation tax doing that, namely, preventing and reducing the amount of speculation in land and housing.

One of the areas that should be of concern to the Treasurer is the whole question of what happens when we do have an economic slowdown. We know that it causes a rash of layoffs, and the province has seen that in the last little while. The government has yet to make good on its commitment to Ontario workers who are facing unemployment or, to use the term that is used, which I find rather offensive, "employment adjustment," which really means trying to cope with unemployment. The Treasurer, or his government at least, has not really done much in terms of this employment adjustment.

On the environment, it is clear that the chronic inequities of our society must be addressed and addressed quickly. Matters of poverty and the lack of affordable housing merit our immediate attention as well, but we realize that these concerns do not exist in a vacuum. There can be no denying that much of the mess we have got ourselves into economically is directly linked to our gross abuse of the natural environment.

I could speak for an hour or so on the Temagami issue as an environmental issue as well, but I know that there are other members who wish to engage in the debate and I will not carry on unduly. As a matter of fact, there was a very lively demonstration on the main staircase of this assembly this morning concerning the Temagami issue. There are many people in the province who see that as an important environmental symbol. It goes way beyond the local level. The government is behaving as it is behaving at great peril.

There has been much said about the Hagersville fire. I will not deal with that. Hagersville is in the Treasurer's riding. As a matter of fact, it was that same pile of tires that led to the tire tax, I believe. I wonder if the Treasurer has thought about the way in which the tire tax would be implemented. A colleague of mine was telling me today that when he paid for his rental car last week, there was an 8.3 per cent tax on it. He said: "Wait a minute now. The sales tax is only eight per cent." "Oh, no," said the dealer, "the point three is for the Treasurer's tire tax." I did not know that the rental companies were using the tire tax as an upfront charge on consumers.

An hon member: Every month?

Mr Laughren: Whenever they rent a car.

An hon member: Every month they pay that?

Mr Laughren: When a consumer rents a car from-

Mr McLean: Is that tax on all rented cars?

**Mr Laughren:** Oh, I am sorry. I do not know about a long-term lease. I am talking about a short-term rental.

As I said, I do not want to go on but I would simply remind the Treasurer that his government can no longer rely on the prosperous economy of a wealthy province to carry it through. It can no longer rely on the abundant natural resources of a healthy province. It can no longer rely on the resources of a strong federal government to carry it through.

If this government is going to make a difference in Ontario by attacking poverty and environmental abuse, it is going to have to face up to its own responsibilities. We have been offering suggestions for some time. Other groups and organizations have been making suggestions before the standing committee on finance and economic affairs. I assume the Treasurer has his own series of meetings with lobby groups which make their case prior to budget time, and I thought it appropriate that we simply signal to the Treasurer that once again we are hopeful of some action on his part in the province.

I do not know what satisfaction the Treasurer gets out of having a balanced budget as the number of food banks increases in the province. I do not know how the Treasurer measures those things in his own value system. For myself, for this caucus, we get no satisfaction out of seeing the Treasurer balance the budget as the food banks increase and the differences between the rich and the poor become greater in the province of Ontario. We find that offensive, and I would hope that the Treasurer, as a Liberal, would also find that offensive.

Mr J. M. Johnson: I will not go into too long a debate on this interim supply motion, as the honourable Treasurer has indicated that there is some urgency, and I fully support the proposition that civil servants are entitled to be paid.

I would like to just highlight one concern that I have. That is the government's lack of common sense. I think that would be the best way to describe it. It relates directly to the Treasurer in his riding or the vicinity of his riding. It has to do with the Hagersville tire fire. I do not want to be repetitious of the debate that occurred last week, but I would like to highlight a concern I have about the irresponsibility of the government in not being able to solve what would appear to be quite a simple problem.

We have a surplus of used tires. There is, as the Treasurer has said, something like a mountain of tires in one area, in Hagersville. I guess the mountain is substantially less now, but why did it have to happen? It is my understanding that there is a need for used tires, that industry requires tires.

I think maybe one of the best examples would be the cement companies. St Marys Cement Co has requested permission from the Ministry of the Environment to have a pilot project to test the burning of tires in its kilns for a period of 10 days, two weeks, to determine if tires could be burned environmentally safely. If so, then they could proceed with using it in their industry.

There is no question that to burn tires will create some pollution, but to burn coal also creates a pollution factor at the present time. What we are really talking about is burning rubber to replace coal. We have to import the coal into the country, so that is a replacement of a resource if we could use rubber. I think St Marys proposed that it burn one part rubber to three parts coal. They could vary the mix until they come up with a type of fuel that would provide the energy they need with less pollution.

I am not sure that it is feasible, but I understand that the process works in many jurisdictions and I feel that the ministry is remiss in not allowing the test project to proceed to determine if there is any merit in it. If it creates a pollution problem more than the coal, then forget about it and start back. There would be no loss. St Marys alone can burn something like 1.5 million tires in a year. There are enough cement companies in Ontario that can take up all the used tires that we have.

#### 1700

If we are using these tires in a meaningful way—the minister says that the tires should be used for other factors. The minister's long-term goal is to reduce, recycle and recover rather than dispose of solid wastes. That is commendable, if he is doing it. But if he is simply passing them down to Hagersville and piling them in huge mountains of tires, then that does not make much sense. When he says his long-term goal, why does he not concentrate on a short-term goal? Why does he not do something today rather than tomorrow?

I understand that they have solved the problems of storing the tires. They have hired guards to stand and watch them so that they do not explode or something. But if they were to give them to the cement companies or sell them to the cement companies, then they could dispose of some of these surplus tires. Heaven knows we do not have to be concerned about having more tires, because tires are much like rabbits: they keep coming back.

I would suggest that the Treasurer could encourage the Minister of the Environment to give consideration to letting St Marys Cement and some of the other cement companies have their test pilot projects to determine if there is any feasibility. If there is, we can do away with some of the tires.

It is my understanding that there are eleven million tires discarded every year and that three million are retreaded. That leaves eight million. One million are added to stockpiles, including 70 per cent to the Hagersville area, and seven million are dumped into landfills. In my riding of Wellington, we have a tremendous problem in determining where a new landfill site should be located, and if we could do away with these tires, it would keep the present sites open a little longer.

By the way, the county of Wellington requested that some of the tire tax that the Treasurer has levied be set aside to establish some sort of depots to take the tires rather than having to bury them. Unfortunately the Treasurer would not advance any money to the municipalities. Of the \$35 million collected this year I understand that he has only allocated \$1 million. He is saving the other \$34 million for some devious plot.

If the minister is interested, and his long-term goal states "to reduce, recycle and recover," then why does he not provide some financial assistance to the industries that are interested in recycling and using the tires for other purposes? It is my understanding that industry has the expertise to use this rubber for industrial flooring, sports mats, road surfacing, crash barriers, soundproofing, etc. Why does the ministry not provide some funding so that these industries could enter into joint projects with the government and finalize some of these projects?

There is a company in my own riding of Wellington, in Orangeville. It is Resource Recovery Orangeville, operated by the general manager, Michael Long. Michael goes through 1,500 tires a day, some 350,000 annually—that is a third of a million tires each year—selling the rubber granules to companies that turn them into artificial turf for playgrounds and factories. It might be beneficial to have artificial turf here. It would be easier on the legs of the members who continually

stroll up and down, like the Minister of the Environment during question period.

There is another company, Waytech, a British Columbia tire recycling company. They use, I think, over a million tires a year. So there are projects that can use your tax dollars to help solve the problem of the used tires. Since the minister is collecting \$5 a tire, surely it would be reasonable to earmark it for that purpose.

Also, I would hope that the minister would encourage the Minister of the Environment to at least look at the proposals offered by the cement companies and see whether the used tires could not be used to replace imported coal with no environmental impact on the province. If it does work that way, then I would think it worth while; if it does not, then he should forget about it.

With those few remarks I would encourage the Treasurer to take some action on his tire tax dollars.

The Acting Speaker (Mr Cureatz): Good speech. We are continuing with government motion 29. Any comments or questions to the honourable member for Wellington?

Hon R. F. Nixon: I thought the honourable member's suggestions were extremely valuable indeed. I do not think he should have the impression that the government is opposed to burning tires. The applications are before the Minister of the Environment and he would no doubt deal with them appropriately under our regulations. Obviously I am extremely interested in the issue and I think the honourable member would be aware that the Minister of the Environment has already announced a \$16-million program that will be used in the coming fiscal year to further recycling of our large store of waste tires.

But I agree with the honourable member that the alternative of actually using them to replace imported fuel, in most cases powdered coal, in some cases petroleum, is something that ought to be entered into quite actively, and I can tell the honourable member that applications for that are before the Minister of the Environment.

Mr J. M. Johnson: I thank the Treasurer for his comments. I might say that I stand to be corrected, but it is my understanding that the Ministry of the Environment says that objections are not based on pollution concerns, but it wants all kinds of ways to be recycled, not burned. MOE spokesman John Steele confirms the St Mary's Cement Co application was turned down for this reason. However, he also admitted there are not enough ways to recycle all of Ontario's tires and said technology is in the works to use some of them in making asphalt.

In the meantime, in the interval, until we do find other ways of using the tires up, then if that is the only reason they have turned it down, because the minister's long-term goals are for tires to be reused, recycled, I would submit the argument that if we can use less imported coal, to society that might be just as advantageous as using the rubber for some other purpose. In any event, we should make more use of them than simply burying them in landfill sites. If it is true that several million go each year into landfill sites, then it is a waste for all of us, so we should give consideration to doing something immediately. We do not want any more fires.

Mr Morin-Strom: I appreciate the opportunity to be able to address some issues of particular concern in northern Ontario today. The Treasurer knows full well that when it comes to the costs of doing government in the province of Ontario, the area

that is in fact the largest cost component for the government of Ontario is the area of health care.

To the chagrin of many of us from northern Ontario, however, that has not provided us with the kind of health care that others in the province of Ontario have come to expect as the norm. Despite the fact that approximately one third of the total revenues of the province is spent on health care, we in northern Ontario have faced very difficult times in terms of ensuring that health care services are provided on a fair and equitable basis right across the north.

The concerns have come forward really from a grass-roots level right across northern Ontario, and they have demanded responses by political leadership right across the north. Unfortunately, to this point this government has not responded to those serious concerns.

#### .....

1710

We in the New Democratic Party have endeavoured to undertake a full series of consultations across northern Ontario to attempt to develop a consensus on northern health care issues and to present those concerns to the Ontario government. This report, which was issued earlier this year, in February, addressed the concerns we have heard from northerners right across the north country. This report, entitled Operation Critical, is the result of more than 18 months of consultations and the result of hearing from hundreds of concerned citizens across the north as well as organizations that provide health care assistance across northern Ontario. Our findings are very damning indeed for this government and the lack of attention that it has placed on northern health care concerns.

"The 800,000 Ontarians living in the north of the province could either become the permanent victims of a health system that no longer seems to care or the trailblazers in providing an appropriate level of health care service to all Ontarians.

"A dramatic choice perhaps, but after investigating health care conditions in dozens of northern Ontario communities and reflecting on the more than 250 presentations to the task force on northern health issues, New Democrats are convinced that health care in the north and in the whole province is at a critical crossroads."

Our "task force began hearings on northern health care in Thunder Bay at the end of May 1988. That kicked off 18 months of listening and discussing, receiving submissions, and reflecting on the needs of a small population spread over great distances.

"We travelled over 3,000 kilometres by car and thousands more by plane. We covered an area from North Bay to Fort Frances and up to Ontario's more northern community, the Cree outpost of Fort Severn.

"Ambulance attendants, professors, sociologists, doctors, other health care professionals, care givers, hospitals, patients, unions, community groups, service clubs, advocacy groups, municipal councillors, francophones and aboriginal people from dozens of communities all made important contributions.

"All talked about the lack of services. The list is long. Some communities have been without doctors for years. Others lack adequately equipped hospitals. Nurses are scarce. Chronic care or care for the elderly is minimal. Mental health care—especially service by psychiatrists and psychologists—is often nonexistant. The lack of nonphysician professionals like audiologists and speech pathologists is glaring. Francophones or natives do not receive service in their own languages.

"Northerners get poor health care at higher costs than people in the south. In particular, many health services are not available and most people cannot afford the expense of travelling to them. Our previous 1984 investigation into northern health care, which we called Miles to Go, demanded that while longer-term measures were needed to develop services in the north, the government should immediately provide funding for authorized, medically necessary travel.

"Jim Foulds, then the New Democrat MPP for Port Arthur, led the fight for the medically necessary northern travel grant. New Democrats made the grant a condition of supporting the minority Liberal government in 1985. Travel is now paid but there are serious shortcomings that presenters made clear to the task force.

"In our travels in 1988 and 1989, we found a new challenge to northern health care: the impact of the acute crisis taking place province-wide...on the already inadequate health care delivery in northern Ontario.

"While government neglect has forced northern Ontarians to do without many services taken for granted in the south, other Ontarians, especially in Toronto, were experiencing for the first time in decades problems such as overcrowded hospitals, unacceptably long delays in surgery and nursing shortages.

"This crisis of access is happening at the same time that health care expenditures skyrocket. In Ontario's 1989 budget, the Ministry of Health's spending was set at \$13.7 billion. That's one third of all government expenditures, and an increase of 10 per cent over the previous year. There is no end in sight.

"Hospitals and Ontario health insurance plan (OHIP) payments are driving up the cost. Together, they account for three quarters of the Health ministry's spending. In the 10 years between 1977-78 and 1987-88, funding to hospitals increased at an average rate of 10.3 per cent a year—well over inflation. In 1987-88, over \$5 billion went to these institutions. That's \$533 for every man, woman and child in Ontario."

A typical family of four in the province is spending over \$2,000 for the hospital care that that family is receiving.

"OHIP payments rose a staggering average of 15 per cent each year in these 10 years. In 1986-87, 16,433 doctors received the lion's share of the \$3.2 billion paid out by Ontario's fee-for-service medicare plan. Their average earnings through OHIP were \$154,100 a year, an increase of 63 per cent in five years."

The fees paid to doctors are second only to the cost of our hospitals when it comes to health care in Ontario.

"These two contradictory trends—a huge increase in spending and a decrease in the overall quality of care—are taking place at the same time because successive Tory and Liberal governments have put too much emphasis on treating illness by physicians and hospitals. This has led to a misallocation of precious resources.

"For the north, it means even fewer resources to deal with the chronic problem of underservicing. Northerners will be left out in the cold—ignored by a government too busy pouring tax dollars into southern hospitals and doctors' fees.

"Members of the task force—Bob Rae, the leader of the official opposition, Health critic David Reville and northern MPPs Howie Hampton, Floyd Laughren, Shelley Martel, Karl Morin-Strom, Gilles Pouliot and Bud Wildman—were constantly impressed by, and reminded of, the dedication and energy that health care providers in the north have brought to their work despite scant resources. They were testimony to the initiative and innovation of northern health care providers serving less than nine per cent of Ontario's population spread out over 75 per cent of its land mass.

"In weaving together the diverse threads of all the presentations, we have been left with the challenging conclusion that a major reallocation of health care dollars into locally controlled, preventive, culturally appropriate, community-based health care is essential to provide a just and fair service to all Ontarians.

"To use a medical analogy, the chronically ill health care system in northern Ontario has taken an acute turn for the worse. The symptom of ongoing underservicing can be seen. The cause of misdirection of funds can be diagnosed. The cure requires surgery—a new approach. Further delay could be fatal....

"Northern Ontario is ironically well placed to lead Ontario out of the health care crisis. Northern hospitals have always been underfunded. Many small communities don't have a doctor and physicians in larger centres carry large patient loads. While doctor shortages and lack of adequate hospital facilities must be dealt with, the chronic lack of services in the north can never be addressed without an emphasis on wellness or prevention instead of the treatment of sickness; community-based delivery of service; and the increased use of health care providers such as nurse practitioners, paramedics and home care workers.

#### 1720

"New Democrats went to the north to listen. We did," and in the next few months we will be attempting to give our voice to the ideas and solutions that were presented to us.

Our recommendations to this province and the Liberal government "concern the broad scope of public policy. Many of the specific issues brought forward by presenters have already been and will continue to be raised" by us in our role as the official opposition here in the province of Ontario.

"In the more than 250 submissions to the task force on northern health issues, New Democrats received more than enough material for a book. But both the north and health have been exhaustively studied.

"As the Canadian Mental Health Association in North Bay said, 'The members must appreciate the fact that what is needed is action, not further review and study.""

New Democrats do have a strategy to make the provincial government respond to the crisis in health care and the chronic underfunding of northern services. Some of the items include the following:

"New Democrats will fight at Queen's Park to change government priorities to a system that makes sense for Ontario and for the future. New Democrats will press for a system throughout the province that is based on prevention, community delivery, the development of all health care providers, culturally appropriate service and local control.

"That means doubling the budgets for the next few years in community and preventive programs and developing ways to move decision-making out of bureaucracies to local communities.

"New Democrats will continue to fight for needed improvements specific to the northern problem of a small population spread out over large distances. We need an increase in travelling clinics. We need a vastly improved transportation system across the north and we need to make the medically necessary travel grant program really work for people.

"New Democrats will work for a decentralized northern medical school as a key way to address the problems of recruitment and retention of health care professionals across northern Ontario. We will work with northerners and the medical and educational communities to develop a new kind of institution, one that trains all care givers in a flexible, locally controlled, community-based approach to health that puts the emphasis on prevention and gives a responsible role to all health care professionals and care givers.

"New Democrats will fight for the recognition of care givers through better pay, better working conditions and real educational opportunities. Overworked professionals, volunteers and poorly paid care givers keep the system going. Many of them are women whose impulse to care has been chronically taken advantage of. At the beginning of this century, we as a society abolished child labour. We should close this century with an end to the ghettoized exploitation of care givers.

"Northerners responded to our task force with unbridled enthusiasm. We are thankful for that, as we are for the gracious hospitality shown" to us in all the communities across northern Ontario.

"We will take their fight for quality health care to this complacent government. We only hope that we can do it with the same dedication, enthusiasm and energy that we met at every stop," right across the north country.

The Acting Speaker: We are continuing with resolution 29. Any comments or questions on the honourable member for Sault Ste Marie's comments? Seeing none, at this time I recognize the honourable member for Markham.

Mr Cousens: I would like to make a couple of comments before I get to my main theme this afternoon, but this is a Rouge River day for the Legislature—a coin on words, a redletter day. When in fact today we did finally receive an announcement from—

Mr D. S. Cooke: "Rouge" is French for "red."

**Mr Cousens:** I know, and for the member for Markham to be using that is indeed quite something, is it not?

I have to go on record as being tremendously pleased with the announcement the member for Scarborough-Ellesmere made about a week ago, prior to the Premier's doing it, because the member for Scarborough-Ellesmere happened to know about it and leaked the word to the whole world. We just did not know whether the leaker was going to be totally accurate in his views and hoped he would be, for a change.

I have to go on record today as having great pleasure in seeing that the Rouge River has now been set aside by the province as a natural park. When something like this happens, we in the opposition are so excited. We are so used to criticising the government that it is hard to stop doing that, but today I just want to sort of bury all the hatchets for a moment or two and let the government know that here is one very happy member of the Legislature by virtue of the fact that it has finally happened.

The fact of the matter is, I do not think the government had any choice.

As a government, if it had not done it, it would not have had any members re-elected from Scarborough. Now they might have a chance, because there is not any doubt that the people in Scarborough, starting with the mayor, Joyce Trimmer, and her council, were strongly supportive of this initiative and have been on record as being that way for some time. I know the Premier is anxious to retain some of those Scarborough seats in the forthcoming election, whenever that might be, and this is one good way of showing that he was listening.

The fact of the matter is, the Rouge River valley system is a beautiful system. It is a national heritage. It is something that can set the greater Toronto area aside from any other of the great urban areas across North America or the world by virtue

157

of that beautiful park that is there. We are so fortunate with the Metro Zoo and the facilities that it offers. We are fortunate with the Carolinian forest, all kinds of different birds and fish and natural life. I just had to say, as someone who lives just north of Steeles and on the valley system that feeds into the Rouge, we in our community as well and our own mayor, Tony Roman, and his council have again gone on record and fought for the protection and preservation of this beautiful park land.

Let's be frank and give credit where it is due. It has been a grass-roots support that had significant effort by the people of the Rouge Valley. That whole association of people with Jim Robb and the people who have come around him have put up a marvellous battle. I have been in the Rouge with them and have seen the kind of things their eyes have been able to point out to me. Our own Conservative Environment critic, the member for Mississauga South, has been on those trips. We have taken our caucus there.

I can assure the government that if it had not done it and we were in power, we would have done it for sure—and probably a little sooner than it. I can just assure the members that when those lands were set aside some 15 years ago, it had no intention of using it for a garbage dump—which the government might still do, I understand—and we had no intention of having housing built on those table lands.

May I say we have made a good step forward. It also heartens me, as a person from the opposition who, in a private member's resolution in June, was able to receive unanimous support from the Legislature for that resolution that asks that the Minister of Transportation look at the other options rather than just have an expressway built through the Rouge, the east Metro transportation corridor. Instead of having that as the north-south route to link Highway 401 up to the new Highway 407, I asked, and I asked this Legislature in that resolution, to consider other options, Brock Road, Morningside, but something that would allow us to protect the Rouge system.

Lo and behold, again this Legislature confirmed the value of at least having opposition members who are able to point these things out to the government. The minister today really did everything I was hoping for through my resolution last June and gave us the approval that there will not be any transportation corridor built through the Rouge Valley system.

What that means is some inconvenience to those fast drivers who want to get in and out of the city, but what it really means is that we are really putting some kind of umbrella around this, some kind of protection, some fence, to keep civilization from going in there and changing it for ever.

It is a red-letter day for the Ontario Legislature, the fact that we have now done this for the Rouge system, and it is one of the reasons that I am going to be supporting the motion before us today. I am not just exactly sure what my caucus members are going to be doing in soliciting this interim supply, but there are so many times when we are critical, today I have a smile on my face that is a mile wide and may I tell the members that the people in all our communities across the province have to be proud of us, as legislators, to have made this move.

#### 1730

I would like to make some comment initially, as well, just on the way we are proceeding with traffic. I was pleased as well that the Minister of Transportation is going to come out with some kind of transportation strategy to improve rapid transit services in and around the greater Toronto area, especially on the east end, in Scarborough, Durham and York region.

We are looking forward to some strategic announcement that will enhance GO train services. We have to get people out of their cars. We have to get them on the transit systems. We have the railroads there; let's start using them more effectively to move people in and out of the greater Toronto area for their employment, their entertainment, when the Toronto Blue Jays are here; for whatever it is. Let's try to reduce the number of cars on the road and let's, where possible, use rapid transit.

To me, transportation has to be a very major investment, long term, short term. What we are seeing now is at least some trend on the part of the government. I take some credit for it, as someone in opposition who has been harping away at this, who is chairman of a transportation task force that is concerned about it. We are meeting in Scarborough on Wednesday night this week at seven o'clock in the Scarborough city chambers to discuss it further. We are going through the greater Toronto area soliciting ideas from the public.

The public is saying: "Let's get rapid transit going. Let's put some money into the infrastructure so that we have the roads to serve the people." Transportation has to be one of the major needs in the greater Toronto area and across the province. I talk about Toronto only because I happen to be critic for the greater Toronto area. It does not take away the concerns that the member for London North has in the London area or the member for Renfrew North has around Ottawa.

We know the whole province has to continue to invest in its roads. One knows at this time of the year when one is driving the country roads because the potholes are huge. The government only has enough money these days to fill the holes. It is really not doing a long-term investment to make sure that our whole road network is state of the art, it is up to date and it is current. It will lead to more tourism. It will lead to more investment in our province. I wish there were more people around here who understood the value of investing money in roads.

I see here today the Minister of Housing and Municipal Affairs. I know he has to concentrate all his efforts on those things, but I would hope that he would be among those who would become a supporter of the investment in roads and transportation services. When I look at the dollars that are being spent in a big way, let's not forget that we have to help the small person.

It is funny. Here, today in the Legislature, I had a petition that I presented on behalf of 500 or 700 people from the Union-ville area who are asking for a stoplight—believe it or not—on Highway 7 near the old folk's home, Union Villa, so that they can get across the road where the bus stop is so that they can have some safety in catching that bus instead of having to run against the traffic. This morning, one senior citizen who wanted to catch the bus missed the bus because he could not cross the road in time with the traffic and the bus was not about to wait for him. Had there been a light, he would have been able to get across the road.

There is going to be an accident there. I have asked the Minister of Transportation to put lights in. I have written him letters. He has not done it. Somehow, it seems as if the only way one can get this government to do something is if one waits until there is a crisis or one has a group of organized people like the Rouge Valley people who say, "You have to do this."

If people did not get out there and fight and fight, this government does not have the common sense or decency to do anything. The people out there in Ontario have to scream and shout and become unreasonable in the way their behaviour is going because these guys are in office for four or five years

and they have already forgotten what the people who elected them there want.

Mr Dietsch: Oh, sit down.

Mr Cousens: They have. They have forgotten it. I think it is high time they opened their senses to understand that they are here, as elected people, to serve the people of Ontario.

I am sensitive to that need. I think of the very small things; when one comes along and wants a traffic light in a place and one can get the whole community to come along and say, "That is a need." One presents it, one writes letters to the minister; one would think there would be some sense of empathy and understanding. What we may well have to do is wait until there is an accident. God forbid. God forbid that would be the case.

With the Rouge thing, that could not have happened, but the fact is we had certain members of this cabinet who were thinking of putting housing developments on it. We still have the government thinking of putting a dump there, and in its announcement it has hedged the bet in case that dump still goes ahead.

Let's have a sense of speaking straight and honest and not just have the small talk that escapes the reality of what people really want and need in our province. People are looking for a government that is responsive and responsible, from the small things such as a traffic light in Unionville to the big things like the Rouge Valley. It would seem the one thing in common is that it is only the squeaky wheel that gets the oil, it is only the person who screams the loudest who gets what he wants.

I do not think we would ever have had Highway 407 had there not been that ground swell of support that came from the whole community. Transportation needs cannot be underestimated. We in this province have to continue to make investments for the future.

I see the Rouge Valley decision today as an investment for the future. It does not cost a lot of money. It is going to cost some, absolutely, but relative to the needs of society, short term and long term, this has to go down in history as something we can really be proud of in this Legislature. Let's hope that everything we do in this place has that long-term benefit. We have to be constantly thinking of how we can create a better society, how we can build that society so that we are being responsive to the needs of all the people. We are here to serve all the people of this province.

A subject that I want to touch on in this interim supply bill has to do with the whole business of educational costs, when you start looking at how important education is, realizing that we in Ontario understand what is our greatest asset. Traditionally we have always thought we are so rich in natural resources because we have such mineral resources—timber, pulp—and we have such vast supplies of fresh water, or used to have.

When you look at all these things, they really pale by comparison when you look at our great natural resource in our young people and our youth—making sure that we continue to have an emphasis on education that places education as one of the greatest priorities a government can have, knowing that our young people are going to be the ones who will take over the responsibility of running this province and this country, trading all around the world. Let's prepare our young people for the future. That is going to be done through an educational system that really understands what education is all about.

One of the reasons I am interested in education is not only the fact that I have gone through the Ontario educational system, in Brockville for public school, in Campbellford for high school and then Queen's University and the University of Toronto in divinity. I spent over 20 years in schools of different kinds. Therefore, there is not any doubt that I have that sense as one who has been a recipient of a quality education system. But then having served on a school board for nine years all together. I also come at it from that perspective. So I have a real sense inside that if there is anything we can be doing to build upon the system we have had, to improve it where possible, we should be doing that from this Legislature.

One of the ways of looking at just how good a job we are doing with education is to look at how much money we are spending on it. A group of people have gotten together and they call themselves the Ontario Public Education Network, OPEN. What they have done is put together a little brochure, Your Public Schools: Keep them Strong. When you start looking at what they are asking for, they are saying, "Stop and consider how much money the province is investing—not spending—in education."

When you see the percentage over a period of time, you begin to realize that the province is placing less emphasis on education now than it did 10 and 15 years ago. In 1975-76—I have the statistics they have prepared—they show that 85 per cent of all education costs went on other expenditures. There was 3.8 per cent to the separate system and 11.3 per cent to the public system; 15 per cent then of the total budget in Ontario was spent on education.

#### 1740

The latest statistics they have prepared have to do with 1987-88, and now there is a 4.6 per cent slippage in education emphasis; 89.6 per cent of all expenditures from the province go into other areas, meaning that 4.2 per cent goes to the separate system and 6.2 per cent to the public system. On an overall basis, since 1975-76 the percentage of the provincial budget spent on education has gone down by a total of 4.6 per cent.

What we are seeing now is a real shift in the way in which the responsibility for education is ceasing to be a provincial responsibility and that responsibility is being passed on to the local ratepayers. When you start looking at the statistics that I have that I want to share with this House, it is an alarming statement as to where the costs now are being found in order to pay for an educational system.

I guess the question that really comes out of it—and I do not address this in my financial considerations today—is, are we getting value for our dollar? I know that many of us whose children have gone through the system feel we have received that value for the dollar, as I do, but I am increasingly concerned and sensitized to an alarming trend that is taking place where people are saying that something is happening in that system.

You look at the costs of sending a child to school—and again OPEN has put this data here and I would like to quote from them. The average cost of educating a public elementary student was \$4,470 in 1987, while the average provincial grant was \$1,562. Now, members should get the difference: It cost the school board \$4,470, and yet the average provincial grant was less than a third of that at \$1,562.

The average cost of sending a student to secondary schoowas \$5,859 and the average provincial grant was \$2,047.

What we start to look at is an increased gap between the cost that it is taking to put a school system together and how much of that is being paid for at the provincial level. What we are seeing are school boards facing a crisis in financial manage ment of their resources. What we are seeing is that the school

boards are not getting enough money from the province to pay for their school system, so therefore the school boards have to go back through the town that does the collection of their taxes. In this last year we have a number of examples of what has happened where the province has come along and said, "We've never given more money," but it has never given a lesser percentage to education than it is now.

Last year, when the school boards estimated their needs for just the growth of what was going on, it was high because they needed six per cent for inflation, two per cent for enrolment growth, 0.5 per cent for pay equity, one per cent for pooling, 0.5 per cent for the unemployment insurance changes, one per cent for government initiatives, which I will come to, and one per cent for the employer health tax.

If the cost of increased enrolment and government initiatives are factored out, the school boards are left with a 2.7 per cent base increase in what they have to spend on education—less than the 5.3 per cent expected rate of inflation. Therefore, when they get a smaller amount from the province, the school boards have no choice but to go back to the ratepayers for another round of increased local taxes. Ratepayers this year can expect another double-digit mill rate increase. We had one last year and we are going to get one this year.

Ontario relies more heavily upon the property tax base to fund education than any other province in Canada. The Ontario Secondary School Teachers' Federation estimates that the \$350 million in approved costs was downloaded from the grant plan to the property tax base in 1989—\$350 million that is now picked up by local property owners rather than the province.

What we end up seeing is the kind of statement that I have in a letter from the chairman of the York Region Board of Education. We have two boards, and I will be talking about both of them.

Mr Bowes says that: "In 1978, our support from the provincial government was 47 per cent. In 1988, it was 23 per cent. In 1989, it was 16 per cent." Look at how much that is decreasing from 1978, from 47 per cent in 1988 to 23 per cent, and in 1989 it was 16 per cent. He says, "If the trend continues it will be? percentage. We expect to be in a negative grant situation in five years."

We are into a crisis with education costs. When you start having the kind of growth that we are seeing in areas around the greater Toronto area, that growth really requires a continuing investment by the province to maintain a quality education system. Yet what we are seeing is that the general legislative grants are going down. It means, therefore, that the costs of education are going up to the local property owner. As Mr Bowes says in his chairman's message to the school board:

"Although the British North America Act states that education is the responsibility of the provinces, the Ontario government, by means of the Education Act, has placed the onus on local school boards. This burden may only become heavier in the future."

And how heavy it is becoming. What I am seeing is the kind of statistics that he has. He points out that with the increases in the size of the board, they are receiving reduced support from this government.

I have a letter that Mr Bowes has sent to members of the community. I would like to put into the record some of the points that he has shared with my constituents as well as the Premier's constituents. He says:

"You will notice in my report that we had an enrolment increase of approximately 3,900 students, that is, 7.3 per cent, in 1988-89, which should have generated a grant increase of

\$14 million. Instead, grants decreased by \$7 million, leaving a shortfall of \$21 million, which represents a mill rate increase of about 10 per cent."

Here we have increasing enrolment, expecting to receive increased support from the province. Mr Bowes points out in his letter that instead of that, we are getting a shortfall.

The original budget presented to the budget committee would have imposed a 20.54 per cent mill rate increase. This was unacceptable, so the committee went back and net reductions of \$8.2 million were recommended. He says:

"You will notice that \$67 million is included in the budget for continuing programs in place for exceptional students. Our grant from the province for secondary expenditures was \$10.9 million less, down 57 per cent from 1988," and it goes on.

Many people in Ontario do not understand what ceilings are, but ceilings are really a level to which the school board can spend to provide a quality education system. At one time they had some sense to them, because a board that was spending within its ceiling got grant money from the province to encourage it to be fiscally responsible. What happens now I would like you to hear as he goes on to explain it:

"The Ministry of Education also sets ceilings on the expenditures which are grantable. The ceiling is absolutely unrealistic and no board in the province can operate under it. The York region had budgeted expenditures of \$60.3 million over this ceiling, and these were financed 100 per cent by the local tax-payers."

That is \$60 million over the ceiling, and the province is saying all of that \$60 million is to be collected in the property taxes of the people who live in York region. How ludicrous. Why not have realistic, meaningful ceilings? If the province were to do its share on it, you would not be ending up with the kind of statistic I pointed to earlier where the province has gone from 47 per cent of the costs of education in 1978 down to 16 per cent now.

#### 1750

I go on in the letter. It says:

"Twelve years ago the board received about 47 per cent of its operating funds from the province and 53 per cent from property taxes. In 1988, grants from the province were 22.6 per cent and in 1989 expected to be 16.7 per cent."

This is unacceptable from a government which in the last two election campaigns promised to return to the 60 per cent provincial, 40 per cent local average funding of education for approved expenditures. Who would deny in this House—and we do have one honourable minister in the House; there are no other ministers, so the Minister for Financial Institutions is an honourable man—but would he deny that one of his election campaign pledges was to have the province cover 60 per cent of the educational costs and the local level 40 per cent? He should stand up and be accountable.

What goes on to add to the cost of education is in fact all of the programs that are being brought down by the government: French as a second language; family life and sex education; AIDS education; drug education; heritage languages; smaller grades 1 and 2 classes; grade 13 textbooks; day care; junior kindergarten; responsibility for all accommodation transferred to school boards; health and safety standards; pay equity—pay equity in the York Region Board of Education costs \$2 million a year; the imposition of a provincial sales tax on school boards. When the minister changed the health tax from OHIP to the new health tax, that had an affect on school boards. We are talking about the total OHIP coming from the province now.

Then we are also talking about where the public ratepayer will be seeing an effect through pooling of commercial-industrial assessment.

What the school boards are being forced to do is follow the lead that the province gives them, saying, "Here's what you're going to have to add to provide an educational system." Every one of those programs is paid for by the local ratepayer. If the government went and paid for it, it would be a different story, but that is not the case. The case is that this government mandates more and more and more programs; the local ratepayers are picking it up.

Yet I will tell you what happens. The Minister of Education stands up in front of the camera, takes all the credit and says: "What a good boy am I. We're doing a fabulous job," he says. "We're spending your money and we're doing something great."

If we got back to the basics in this province and provided an educational system within our means, we could do something. We could make ourselves one of the strongest provinces, one of the strongest jurisdictions in the world, and yet the money just seems to flow and flow and flow.

Where are our priorities? Come on. This government, if it has a priority in education, should put the money where its mouth is, and that is right back in the classrooms for children. Let's have it in a program that is going to count.

What we are seeing, though, is that the province mandates a program, gives it to the school board to do, and then the school board has to come along and fulfil all those mandates. I just listed about 12 or 13, maybe more. This is a problem and we have to face up to it.

I would like to touch on the York Region Roman Catholic Separate School Board, because it is going through the same problem. How often do I quote from a Liberal? Not very often, but I am quoting from the Thornhill Liberal, which is the paper in my community. I have tried to change the name, but I do not have any influence on that. It is called the Thornhill Liberal. It happens to be a good weekly and it serves the riding. In fact, our Sergeant at Arms, who comes from Richmond Hill, reads it on a regular basis, I am sure, along with all the papers that members read.

The article by Jim David outlines how the Roman Catholic separate school board is strapped and seeks help from the province, facing double-digit increases. I have here in front of me the letter that has been sent to the Minister of Education from my friend Joe Virgillio, the chairman of the school board, and Frank Bobesich, the director of education, pleading to this government to bring some sanity to the economics of allowing them to run an educational system.

I have to say that I am very fortunate to be in an area where we have two quality educational systems that are sponsored by the public. The public system and the separate system are doing an outstanding job. Yet how can they do the jobs they really want to if they are not getting the proper funding at the provincial level?

I would like to quote from a letter that was sent on 28 February to the Minister of Education by the chairman of the school board. These communiqués—and there have been numbers of them. I have them here, and the board keeps writing the Minister of Education. He changes regularly, but we have one now and he might be there a few weeks longer, until the next election, and then the whole bunch of them might be gone, who knows? I can hope.

Anyway, he sends these communiqués and says, "The provision of accommodation and the resulting debt burden, the inequitable and grossly unfair assessment base, the inadequate provincial funding, the lack of financial support for high-growth boards and the most recent accelerated practice of downloading of expenditures"—these are the problems that this board has, and the board is beseeching this province to come through with some kind of help.

They have asked for a meeting with the Minister of Education. Today, when we gave out our Oscar awards, we realized that the Minister of Education is a very special person. He is going to get the one for being the phantom around here, because anyone who wants to meet with him just cannot seem to do so. I have to believe that with the member for York Centre, the member for York North and the member for Durham-York all coming from the York region, we will prevail upon the honourable minister, and I am sure there will be a meeting with the Minister of Education for the school board. Here comes the member for York Centre now. I am sure that, working with him on this important matter, we will succeed in getting a meeting, but there is not any guarantee we are going to get the money we want.

What this board is asking for and what it is faced with is another increase to the taxpayers in York region. What they are talking about is an average tax increase that is just getting beyond control. The average tax increase could be 18.5 per cent. The fact of the matter is that the York Region Roman Catholic Separate School Board is spending beyond its means by over \$3.2 million. They are now in the process of completing this year's budget, and they are going to be over by \$5.6 million. What they are doing is creating a huge deficit.

Every public system should live within its means. The only way the Treasurer lucked into it this year is that someone did  $\epsilon$  little bit of a miscalculation, so he was able to come out a here for a day. But the fact is, the York Region Roman Catholic Separate School Board—

Interjections.

The Deputy Speaker: Order, please.

Mr Cousens: —needs to have some way from the government to help eliminate this accumulating deficit. We should not allow public bodies to go beyond their means. Yet this province has come out with a census saying, "We're going to come out with more programs and we're going to come along and"—

Mr Fleet: You're forgetting Michael Wilson.

The Deputy Speaker: The member for High Park-Swansea.

Mr Cousens: Yes, I wish you would do something with my good friend. He is going to stop being a good friend if he keeps it up.

Interjections.

The Deputy Speaker: Order, please. The member for Markham is the only one who has the floor and he may continue.

Mr Cousens: I have lots to continue with. As long as this government continues to misappropriate the public funds the way it is, all of us are going to be raising some kind of tax revolt. The York Region Roman Catholic Separate School Board has come back with a number of proposals. They realize that the Roman Catholic separate school supporters in York region are facing another tax increase of over 12 per cent in 1990-91.

If you look at the cost of some of the programs that the government has brought in—and Mr Virgillio points them out: the employer health levy, pay equity, garbage disposal, debenture debt, interest expense—all of these things are just adding to the cost of education.

So this board is coming forward, making proposals that really begin to say, "Let's do something," where he says: "Our taxpayers, our ratepayers, are demanding accountability and explanations from us. They want to know why last year we increased education taxes four times the rate of inflation and why we may have to do it again this year. Further, they would like to know why our coterminus board is able to spend more money per pupil, provide more services and yet pass on tax increases and resulting mill rates substantially below the separate school board and still have a significant amount of reserve funds available for the future." They have no reserve fund; they are almost broke. In fact, what the government is doing is breaking them.

If there is anything we should do and consider as an important item on the agenda of this Legislature, it is education. We should understand that it is an investment for the future, but the province has to carry its share. It is hard to use parliamentary language that would describe a lie or a misinterpretation of what has really gone on, but they are out there getting elected. They make all the promises. They have made the promises as a

government and they are not fulfilling them. I do not know how the people can continue to trust a government that is so deceitful in the way it gets elected. They are giving politicians a bad name.

Interjections.

Mr Cousens: They are. They go and say one thing and then they do another. If there is anything that we should do, it is to try to get the Liberals to be honest. Let them put their money where their mouth is. Let them put in education where it is really going to count and is going to have a long-term benefit for our young people.

The people in the province of Ontario are becoming outraged. The government is not; it is very happy with things. I am not happy and the people of my community are not happy. They are becoming furious with this government for continuing to increase the costs and then passing it on to them. It is not accountable for it.

I think the turkeys need to be fed soon. It is almost six o'clock.

On motion by Mr Cousens, the debate was adjourned.

The House adjourned at 1802

#### ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

#### SEWAGE TREATMENT

254 Mr McLean: Would the Minister of the Environment provide a complete list of the names of municipalities that submitted funding applications for sewer and water projects and the amount applied for in each case? [Tabled 6 July 1989]

See sessional paper 295.

256 Mr McLean: Would the Minister of the Environment provide a complete list of the names of municipalities that funding applications for sewer and water projects were not approved and the amount not approved in each case? [Tabled 6 July 1989]

See sessional paper 296.

264 Mrs Marland: Would the Minister of the Environment provide a list of all municipalities presently eligible for a provincial grant for a waterworks project but for which a provincial funding commitment has not been made, indicating details of the proposed project, the estimated cost of the provincial share of the project and the priority ranking of the project? [Tabled 10 July 1989]

See sessional paper 297.

#### **HOSPITAL SERVICES**

266 Mr Eves: Would the Minister of Health provide a list, by hospital, of all unapproved programs presently operating in Ontario hospitals and an estimate of the savings that could be realized with the discontinuation of these programs? [Tabled 10 July 1989]

Hon Mrs Caplan: The Ministry of Health does not have a detailed inventory of nonapproved programs operating in Ontario hospitals and therefore cannot provide a list of estimated savings from the discontinuation of unapproved programs. Hospitals are funded on a global budget. Hospitals are allowed to set priorities for use of their resources within the global funding.

#### **SEWAGE TREATMENT**

268 Mrs Marland: Would the Minister of the Environment provide a list of all municipalities presently eligible for a provincial grant for a sewage works project but for which a provincial funding commitment has not been made, indicating details of the proposed project, the estimated cost of the provincial share of the project and the priority ranking of the project? [Tabled 10 July 1989]

See sessional paper 298.

#### **PALLIATIVE CARE**

326 Mr Eves: Would the Minister of Health table a list of the palliative care programs available in Ontario, including a program description, the location and the funding provided by the ministry for the operation of these programs? [Tabled 6 November 1989]

See sessional paper 299.

#### **HOME CARE**

328 Mr Eves: Would the Minister of Health table a list of the number of people, by municipality, waiting to access the home care program? [Tabled 6 November 1989]

Hon Mrs Caplan: The Ministry of Health home care program is an insured service available to all eligible persons under the Health Insurance Act. The ministry is unaware of any eligible person awaiting access to either the acute or chronic elements of the home care program except where, due to a shortage of a specialized service provider, it has not been possible to provide the full range of professional services. Such instances are rare.

#### DISTRICT HEALTH COUNCILS

329 Mr Eves: Would the Minister of Health table a list of all salaried positions at each district health council and a salary range for each position? [Tabled 6 November 1989]

See sessional paper 300.

330 Mr Eves: Would the Minister of Health provide a breakdown of how the \$12,928,000 allocated for the district health council program will be spent this year? [Tabled 6 November 1989]

See sessional paper 301.

331 Mr Eves: Would the Minister of Health explain the rationale for moving the district health council program from the ministry administration account to the community and personal health program account in volume 1 of the expenditure estimates for 1989-90? [Tabled 6 November 1989]

Hon Mrs Caplan: The Ministry of Health's administration program was restructured in volume 1 of the 1989-90 expenditure estimates to better conform with established Management Board guidelines covering the use of that account.

Guidelines provide that, where ministry administration and support service costs apply to more than one program and cannot be practically charged to the programs they serve, the costs may be grouped in the ministry administration program using standardized activities.

The standard activities are: main office; financial and administrative services; human resources; communication services; analysis and planning; legal services; audit services; and information systems.

District health councils have been established to advise the minister on a variety of health service issues from a local or community perspective and to assist in planning a comprehensive and economical health care system, which is responsive to local needs.

The community and personal health program is responsible for developing and implementing policies designed for the effective delivery of health care in local communities.

The ministry felt that the community and personal health program was an appropriate location for the district health council activity.

#### **DIALYSIS**

332 Mr Eves: Would the Minister of Health provide a list of hospitals which have home dialysis training programs? [Tabled 6 November 1989]

Hon Mrs Caplan: The following hospitals currently offer home dialysis training programs: Toronto General Hospital, Toronto Western Hospital, Hospital for Sick Children (Toronto), St Michael's Hospital (Toronto), Sunnybrook Medical Centre North York), The Wellesley Hospital (Toronto), Credit Valley Hospital (Mississauga), St Joseph's Hospital (London), Victoria Hospital (London), Salvation Army Grace Hospital (Windsor), St Joseph's Hospital (Hamilton), Chedoke-McMaster Hospitals Hamilton), Kitchener-Waterloo Hospital, Kingston General Hospital, Ottawa General Hospital, Laurentian Hospital (Sudpury), McKellar General Hospital (Thunder Bay).

333 Mr Eves: Would the Minister of Health explain the criteria used in determining whether a hospital can offer a home lialysis training program? [Tabled 6 November 1989]

Hon Mrs Caplan: A decision to approve a home dialysis raining program could be based on a consideration of several actors including: (1) the need for the program in terms of the number of patients requiring training and for whom home lialysis is medically appropriate; (2) geographic distribution of he service throughout the province; (3) availability of professional resources associated with a comprehensive renal disease reatment program; (4) support of the local district health council; (5) availability of funds.

334 Mr Eves: Would the Minister of Health provide details of the costs associated with the provision of a home dialysis program and training program? [Tabled 6 November 1989]

Hon Mrs Caplan: The most recent data indicate the average cost of training home haemodialysis patients in Ontario s \$7,762 per patient. The average annual cost of maintaining a patient on home haemodialysis is \$16,046 per patient. One-time equipment and installation costs for home haemodialysis patients are approximately \$20,000.

# YOUTH EMPLOYMENT

336 Mrs Cunningham: Would each minister indicate the number of young people employed during the summer of 1989 n each of the following programs: environmental youth corps, summer Experience'89, student venture capital, Ontario summer employment program, youth job co-op and summer jobs campaign? [Tabled 7 November 1989]

See sessional paper 302.

# PARLIAMENTARY ASSISTANTS

340 Mr Villeneuve: Would the Minister of Agriculture and Food provide the dates and events at which he has been represented by either of his two parliamentary assistants, which parliamentary assistant represented him, and also all costs borne by the ministry to accommodate and provide staff for two parliamentary assistants since both were appointed? [Tabled 14 December 1989]

See sessional paper 303.

# POLLUTION CONTROL

341 Mr D. S. Cooke: Will the Minister of the Environment table the identity and location of each company against which a pollution control order has been issued under the Environmental Protection Act since 1 January 1989, together with a description of the contravention? [Tabled 14 December 1989]

See sessional paper 304.

# OCCUPATIONAL HEALTH AND SAFETY

342 Mr D. S. Cooke: Will the Minister of Labour table the identity and location of each workplace in Ontario where an

industrial fatality has occurred since 1 January 1989, together with the date of the fatal accident? [Tabled 14 December 1989]

See sessional paper 305.

# **RESPONSES TO PETITIONS**

# **NATUROPATHY**

Sessional paper P-1, re naturopathy.

Hon Mrs Caplan: The final recommendations of the health professions legislation review were tabled in the Legislature on 26 January 1989. In its final recommendations, the review continued to recommend that the profession of naturopathy not be statutorily self-governing. Naturopaths would remain able to practise without specific legislation, but the profession has indicated that the type of practice would be altered.

The Ministry of Health has circulated the HPLR's final recommendations to professional governing bodies and other interested parties and is itself assessing the recommendations and their implications. I have met with those groups most affected by the review and its recommendations and ministry staff will continue to gather information prior to introducing legislation. To date, more than 50 groups have met with me and I have heard their major concerns. The Board of Directors of Drugless Therapy—Naturopathy and the Ontario Naturopathic Association met with me on 14 July 1989. They were assured that their views and concerns would be taken into account during the process of implementing HPLR proposals.

Ministry staff are maintaining discussions with naturopathic interest organizations.

# FRENCH-LANGUAGE SERVICES

Sessional paper P-14, re French Language Services Act.

Hon Mr Beer: The French Language Services Act was adopted on 18 November 1986 with the unanimous consent of members of all parties in the Legislature. Its purpose is to guarantee the provision of provincial government services in French in the 22 designated areas, listed in the schedule to the act, where the French-speaking population is concentrated.

The act is a fair and reasonable measure to protect the language rights of the province's French minority. It is consistent with the vision of a country where the rights of English- and French-speaking Canadians are respected. It also enables the government to recognize the many contributions the French-speaking population has made to this province's historical, cultural and linguistic heritage.

The act came into effect on 19 November 1989. The services to the public which it guarantees have been developed over the past three years by ministries of the government and the agencies, boards and commissions to which the act applies. Ministries spent a total of \$45.8 million over and above their base allocation for the implementation of the act in those three years. These supplemental costs represent, on a yearly average, 0.04 per cent of the provincial budget. A large portion of these costs were for one-time expenditures.

The implementation of the act has been a completely open process. The Office of Francophone Affairs provided information on the act's implementation through information kits, public speaking engagements, publications, press releases, the production of videos, briefings for government and opposition members, annual reports tabled in the Legislature and participation in the debates on the estimates for the francophone affairs program. Ministries, for their part, have produced newsletters and undertaken communications activities on their own. Timely

responses have been made to queries from the public and MPPs, and media coverage of the act's implementation has been extensive throughout the province.

The French Language Services Act is the culmination of a series of Ontario government actions on the provision of services in French, many of which date back to 1968. The Ontario government views the provision of French-language services as a major accomplishment which neither discriminates against any other language group nor infringes on existing rights of English-speaking Ontarians. English remains the language of administration for the government of Ontario.

The government of Ontario is firmly committed to the principles of the French Language Services Act and its effective implementation. This is in keeping with its policy to make provincial government services accessible and available to Ontarians in either English or French.

Hon Mr Beer: The French Language Services Act was adopted on 18 November 1986 with the unanimous consent of members of all parties in the Legislature. Its purpose is to guarantee the provision of provincial government services in French in the 22 designated areas, listed in the schedule to the act, where the French-speaking population is concentrated.

The act is a fair and reasonable measure to protect the language rights of the province's French minority. It is consistent with the vision of a country where the rights of English- and French-speaking Canadians are respected. It also enables the government to recognize the many contributions the French-speaking population has made to this province's historical, cultural and linguistic heritage.

The French Language Services Act is the culmination of a series of Ontario government actions on the provision of services in French, many of which date back to 1968. The Ontario government views the provision of French-language services as a major accomplishment which in on way limits or reduces the provision of English-language services or the rights of English-speaking Ontarians.

Nor does the act infringe upon the rights of other linguistic groups. On the contrary, the government of Ontario acknowledges and welcomes the diversity of cultures in this province. It considers the presence of peoples with diverse cultural backgrounds to be a source of enrichment and strength.

The government of Ontario is firmly committed to the principles of the French Language Services Act, 1986 and its effective implementation. This is in keeping with its policy to make provincial government services accessible and available to Ontarians in either English or French.

Hon Mr Beer: The French Language Services Act was adopted on 18 November 1986 with the unanimous consent of members of all parties in the Legislature. Its purpose is to guarantee the provision of provincial government services in French in the 22 designated areas, listed in the schedule to the act, where the French-speaking population is concentrated.

Given that Ontario has the largest number of francophones outside of Quebec, the government views the provision of French-language services as a special responsibility which strives to meet the needs of its French-speaking citizens. It also enables the government to recognize the many contributions the French-speaking population has made to this province's historical, cultural and linguistic heritage.

The French Language Services Act is the culmination of a series of Ontario government actions on the provision of services in French, many of which date back to 1968. The Ontario government views the provision of French-language services as

a major accomplishment which in on way limits or reduces the provision of English-language services or the rights of English speaking Ontarians.

Nor does the act infringe upon the rights of other linguistic groups. On the contrary, the government of Ontario acknow ledges and welcomes the diversity of cultures in this province. It considers the presence of peoples with diverse cultural back grounds to be a source of enrichment and strength.

The government of Ontario is firmly committed to the prin ciples of the French Language Services Act, 1986 and its effective implementation. It believes the act is a fair and reasonable measure, consistent with its views of a country where the right of English- and French-speaking Canadians are respected.

# ANIMALS FOR RESEARCH

Sessional paper P-17, re animals in product testing.

Hon Mr Ramsay: The wording in the petition implies tha testing of cosmetics and household products causes death an suffering to thousands of animals in Ontario each year. In fact only small numbers of animals are used for the eye irritance tests and anaesthetics are used if there is any indication of significant tissue damage. Less than 2,000 mammals are used fo other tests and the vast majority of these are not adversely affected by the procedure.

All research and animal testing facilities, except thos operated by the government of Canada, are regulated under th Animals for Research Act, which is the most comprehensiv animal care legislation in Canada. Unannounced inspections o all facilities are made by ministry veterinarians to ensure that there is no unnecessary pain and that animals are properly use and cared for.

Federal government regulations require manufacturers c consumer products to ensure that products being sold are saf when used as directed. For several products, this requiremer can only be met by using animals. The nonanimal alternative have not been accepted as reliable in Canada or any othe country which is a signatory to the Organization of Economi and Co-operative Development. Nonanimal alternatives arbeing used to reduce the number of animals required for test: However, some animals are still required for the protection of the public. More research is necessary to develop alternative which are reliable. When these nonanimal alternatives have been validated and accepted by regulatory agencies and legal authorities, I will not hesitate to ban the use of animals for these specific tests.

# CHRONIC CARE

Sessional paper P-28, re chronic care hospital.

Hon Mrs Caplan: On 28 August 1989, I announced the establishment of two committees to address long-term care is sues in Windsor and Essex county.

The Windsor-Essex Long Term Care Services Plannin Committee will have the mandate of developing a long-ten care services plan for Windsor-Essex which will address the following: the rationalization of chronic services in Windso Essex; the redevelopment of the Riverview Hospital; the identification of the community-based services necessary to support the evolving long-term care services plan.

The Joint Ministry of Health/Riverview Program Plannir Committee will co-ordinate the planning process leading to the start of construction of the Riverview Hospital based on the recommendations of the Windsor-Essex Long Term Care Se vices Planning Committee.

# COMMERCIAL CONCENTRATION LEVY

Sessional paper P-30, re commercial concentration tax.

Hon R. F. Nixon: This government recognizes the importance of tourism to Toronto and to Ontario in general. The province has historically provided tax exemptions and reductions to tourism operators in direct response to industry requests for assistance. As well as favourable tax treatment, the province also promotes tourism directly through the Ministry of Tourism and Recreation.

Providing adequate transportation infrastructure is also an important concern for the provincial government. The commercial concentration tax is one of several revenue measures designed to finance the five-year, \$2-billion transportation capital program introduced in the 1989 Ontario budget. The other revenue measures include increases in motor vehicle registration fees and increases in gasoline, diesel fuel and other motive fuel taxes.

Rapid growth in the province, and especially in the greater Toronto area, has put a strain on the existing transportation infrastructure. The transportation capital program is intended to meet the demands for improved highway and transit in the GTA and throughout Ontario.

The government believes that the owners of commercial property in the greater Toronto area, including owners of hotels, will benefit significantly from the \$1.2-billion investment committed to the GTA under the transportation capital program.

The commercial concentration tax exempts the first 200,000 square feet of gross area for commercial structures. This significantly reduces the amount of tax payable by most hotels in the GTA.

# **AUTOMOBILE INSURANCE**

Sessional paper P-35, re Ontario motorist protection plan.

Hon Mr Elston: The merits of the various options for insurance product reform were thoroughly investigated by the government in the creation of the plan. Most of the recommendations respecting enhanced benefits for injured motorists made by Mr Justice Osborne as well as his proposals for tort reform have been incorporated into the plan. In addition, the report of the Ontario Automobile Insurance Board provided invaluable data for the detailed design of the plan, including the form of threshold no-fault system proposed and the dispute resolution mechanism.

We are confident that the Ontario motorist protection plan does constitute a responsible and sound initiative that will benefit the majority of our motorists and accident victims in the future.

# LIQUOR STORES

Sessional paper P-37, re D-class liquor stores.

Hon Mr Sorbara: The Liquor Control Board of Ontario is committed to providing good, customer-focused service to the people of Ontario with respect to the sale of beverage alcohol. The LCBO is cognizant, however, of the need to do this in a manner which is financially responsible and cost-effective.

The Ontario beverage alcohol market has been changing rapidly in recent years. As a result, the LCBO has actively pursued several initiatives which address the changing local tastes and lifestyles of their customers. This dynamic environment has made it imperative that the LCBO retail system be managed in a way which maximizes its potential and addresses

localized conditions. Flexibility in meeting consumer needs will be essential in the future.

The LCBO is continually assessing the needs of the communities and the effectiveness of the service provided on a case-by-case basis. The LCBO will continue to do this, but I assure you that the LCBO will not take any action to convert or otherwise alter the existing retail operations without discussing the matter with the communities affected.

#### FARM TAX REBATE

Sessional paper P-39, re farm tax rebate program.

Hon Mr Ramsay: Please let me clarify my government's position that the changes announced for 1989 are of an interim nature and that no additional changes are forthcoming until property owners and farm organizations have had the opportunity for input. Let me stress that our position remains unchanged that no additional changes would be implemented without consultation.

The program's long-term direction is being determined through a full and open review. This review is being guided by a committee with representation from the Ontario Federation of Agriculture, the provincial government and the farming community. Property owners and interested farm organizations have the opportunity to voice their concerns and offer suggestions for the future program. An invitation for input has already been extended to over 70 farm organizations, including Landscape Ontario Horticultural Trades Association. Input for the review committee can be directed to: Review Secretariat, Farm Tax Rebate Program Review Committee, c/o Farm Assistance Programs Branch, Ministry of Agriculture and Food, 801 Bay Street, 10th Floor, Toronto, Ontario, M7A 2B2.

I feel that the proper consultative process has been established in determining the future direction of this program.

# PRINCE EDWARD HEIGHTS FACILITY

Sessional paper P-40, re Prince Edward Heights.

**Hon Mr Beer:** With respect to the abovenoted petition, I would first of all like to congratulate the staff and management of Prince Edward Heights on the progress they have made in developing more normal living opportunities for residents of the facility.

The province's multi-year plan to develop community living opportunities for developmentally handicapped people fully recognizes and supports the strategy of diversification of facility services, when this strategy enhances the principles and philosophy of service development within the community. However, as stated in my ministry's document entitled Challenges and Opportunities, diversification is not an end in itself. My ministry views diversification strategies as an interim means for accelerating community living opportunities for people currently residing in institutions. Our ultimate goal is to have the community assume ongoing responsibility for service delivery.

Prince Edward Heights is similar to other schedule I facilities across the province. In co-operation with ministry area offices and community planning groups, each facility develops plans to ensure that the needs of current residents are met as community placement continues. Every facility has developed strategies to achieve this objective in the best possible manner. Some facilities, including Prince Edward Heights, are considering a strategy of diversification which leads to divestment. It is not possible to exclude Prince Edward Heights from the objectives and activities of the multi-year plan.

I would like to take this opportunity to thank the employees of all our facilities for their continued interest and dedication in the provision of services for developmentally handicapped people.

# **GREATER TORONTO AREA**

Sessional paper P-41, re tax discrimination.

Hon R. F. Nixon: Rapid economic growth has increased congestion on our transportation system. One priority for this government is to ensure the future efficiency of Ontario's system of roads, highways and transit. Therefore, the transportation capital program was enriched by \$2 billion over five years in the 1989 budget. It should be noted that about \$600 million of the \$2 billion is to fund transit capital expansion and improvements.

Following the fiscally responsible principle of "pay as you go," additional revenues of some \$2 billion over five years were required. This funding will come from increased gasoline and diesel fuel taxes, motor vehicle registration fees and drivers' licence fees.

The greater Toronto area, which encompasses Halton, Peel, York, Durham and Metropolitan Toronto, will benefit from \$1.2 billion of the \$2 billion in increased spending. Transportation projects include the accelerated construction of Highways 401, 403, 407 and 410, improvements to municipal transit systems

and an extension of GO Transit service to Milton, Georgetown Stouffville and Richmond Hill.

The higher motor vehicle registration fees for the GTA arto help meet the critical transportation infrastructure needs in the GTA.

The business sector, as a contributor to the infrastructur pressures of the GTA, is required to contribute to these improvements through commercial concentration tax of \$1 pesquare foot for commercial structures over 200,000 square fee and all commercial parking lots.

# FRENCH-LANGUAGE SCHOOL

Sessional paper P-42, re French-language Catholic school.

Hon Mr Conway: Three hundred thousand dollars was all located for a site purchase for the St Antoine project. Th timing of the purchase is the school board's responsibility, bu ministry funding is indicated for the 1991 fiscal year.

The Essex Roman Catholic Secondary School Board ha made the St Antoine project the number one priority on its lis of French-language section requirements in its 1990 capital expenditure multi-year forecast.

Allocations will be made on the basis of greatest need a determined by a province-wide evaluation. This process is currently in progress and so, in order not to prejudice the allocation program, no specific commitments can be made at this time.

# **ALPHABETICAL LIST OF MEMBERS**

(130 seats)

Second Session, 34th Parliament

# Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)

Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Beer, Hon Charles, Minister of Community and Social

Services (York North L)

Black, Hon Kenneth H., Minister of Tourism and Recreation

(Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

Bradley, Hon James J., Minister of the Environment

(St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of

the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L)

Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L)

Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of

Colleges and Universities and Minister of Skills

Development (Renfrew North L)

Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L)

Cousens, W. Donald (Markham PC)

Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the

Whole House (Durham East PC)

Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L)

Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L)

Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L)

Hampton, Howard (Rainy River NDP)

Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of

Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

**Scott, Hon Ian G.,** Attorney General (St George-St David L) Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

**Sweeney, Hon John,** Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L) Wrve, Hon William, Minister of Transportation

(Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

# **CONTENTS**

# Monday 26 March 1990

Members' statements	Ontario Hydro labour dispute
Compulsive gambling	Mrs McLeod
Mr Farnan	Mr Cureatz
Government's record	Health concerns at schools
Mr Cousens	Mr R. F. Johnston
Chicago Board of Trade	Mr Conway
Mr D. W. Smith	Mr Jackson
Affordable housing	Mr Phillips
Mr D. S. Cooke	Child care
Fovernment's record	Mr Chiarelli
Mrs Marland	Mr Beer
<b>Democracy</b>	Purchase of uranium
Mr Neumann	Mr Wildman
Events in Lithuania	Mr Peterson
Mr R. F. Johnston	Children's mental health services
Sovernment's record	Mrs Cunningham
Mr Cousens	Mr Beer
Events in Lithuania	St Elizabeth Nursing Home
Mr Fleet	Ms Oddie Munro
	Mr Phillips
Statements by the ministry	<b>Hydro rates</b>
	Mr Pouliot
<b>Rouge Valley</b>	Mrs McLeod
Mrs McLeod	<b>Pesticides</b>
Mr Wrye	Mr J. M. Johnson
Career information centres	Mr Bradley
Mr Conway	Hospital services
	Mrs Stoner
Responses	Mrs Caplan
·	Inmates' mental health services
<b>Rouge Valley</b>	Mr Farnan
Mr R. F. Johnston	Mrs Caplan
Career information centres	Handgun replicas
Mr R. F. Johnston	Mr Sterling
Rouge Valley	Mr Offer
Mrs Marland	
Mr Pollock	Motion
Mr Cousens	
Career information centres	Committee membership
Mr Jackson	Mr Offer
	Agreed to
	D 444
Oral questions	Petitions
Water quality	Cardiovascular care
Mr B. Rae	Mr D. R. Cooke
Mr Bradley	Traffic signals
Social assistance	Mr Cousens
Mr B. Rae	Waste management
Mr Beer	Mr D. W. Smith
Mr Philip	Automobile insurance
Automobile insurance	Mr D. S. Cooke
Mr Runciman	Security in premises used by public
Mr Elston	Mr Sterling
IVII EISTOII	

Transmission line	Parliamentary assistants, question 340 16.  Mr Villeneuve  Mr Ramsay
Report by committee	Pollution control, question 341
Standing committee on resources development	Mr Bradley  Occupational health and safety, question 342 16.  Mr D. S. Cooke  Mr Phillips
Mrs Marland	Responses to petitions
Government motion	Naturopathy, sessional paper P-1 16.  Mrs Caplan
Interim supply, resolution 29	French-language services, sessional paper P-14 16. Mr Beer
Mr R. F. Nixon	Animals for research, sessional paper P-17 16 Mr Ramsay
Mr J. M. Johnson	Chronic care, sessional paper P-28 16 Mrs Caplan
Mr Cousens	Commercial concentration levy, sessional paper P-30 16: Mr R. F. Nixon
	Automobile insurance, sessional paper P-35 16: Mr Elston
Answers to questions in Orders and Notices	Liquor stores, sessional paper P-37 16: Mr Sorbara
Sewage treatment, questions 254, 256 and 264 162  Mr McLean	Farm tax rebate, sessional paper P-39
Mr Bradley Mrs Marland	Prince Edward Heights facility, sessional paper P-40 16. Mr Beer
Hospital services, question 266	Greater Toronto area, sessional paper P-4116  Mr R. F. Nixon
Mrs Caplan  Sewage treatment, question 268	French-language school, sessional paper P-42 16 Mr Conway
Mr Bradley Palliative care, question 326	Other business
Mr Eves Mrs Caplan	Death of member for Ottawa South
Home care, question 328	Ontario French Language Services Commission 12' The Speaker
Mrs Caplan  District health councils, questions 329 to 331	Agnes Macphail
Dialysis, questions 332 to 334	Hockey championship
Youth employment, question 336	Mr R. F. Johnston
the Ministry	Adjournment

90





6 90

# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Tuesday 27 March 1990

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

# Assemblée législative de l'Ontario

Deuxième session, 34e législature

# Journal des débats (Hansard)

Le mardi 27 mars 1990



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

# **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

# Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario. La liste des députés appartenant au Conseil des ministres et des adjoints parlementaires ainsi que celle des députés appartenant à des comités y figure aussi.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des

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# LEGISLATIVE ASSEMBLY OF ONTARIO

# Tuesday 27 March 1990

The House met at 1330.

Prayers.

# **MEMBERS' STATEMENTS**

# ALCOHOL ADVERTISING

Mr Kormos: The government of Ontario has announced its new guidelines for advertising by alcohol manufacturers. These guidelines legalize and permit advertising that was not available to these manufacturers before.

This relaxation of standards for alcohol advertising has made a really big impression on people in Ontario. These relaxed guidelines really impress the victims of drunk drivers and the families of those victims. John Bates, the president of People to Reduce Impaired Driving Everywhere, predicts a disaster for the battle against drunk driving in Ontario, and he is probably right.

These relaxed guidelines really impress the parents of teenagers and young adults, parents who are fighting what seems to them like a losing battle against the glossy, slick advertising of the beer and liquor companies, parents who know that alcohol ranks along with a dozen other drugs as an addictive substance that can quickly destroy young lives.

These new, liberal guidelines really impress the parents of teenage alcoholics, parents who have seen their children descend into the Hades of abuse and addiction. The relaxed guidelines of the Liberal government impress the children of alcoholic parents, children who will persistently be denied what is rightly theirs because they cannot compete with the lure of alcohol.

It is trite but true to state that alcohol remains number one as the addiction of choice. It is still the number one killer on the highways, the number one destroyer of families and young lives. The alcohol pedlars of Ontario obviously have a lot of clout with this government, and this Liberal government is obviously more concerned with the profits of the liquor industry than with the health and lives of young and old alike.

There surely is a war against alcohol and drugs going on in Ontario. The only question left is, what side is the government on?

# KIDNEY MONTH

Mr Cousens: March is Kidney Month, a month during which time canvassers have been going from house to house across Ontario soliciting the support of people in our province for kidney research and for assistance to those people who have kidney disease.

Kidney disease is a problem that has hit many families. I lost my eldest brother to kidney disease a number of years ago and since then have taken an active part in helping fight for those who have the disease and for more research. Last year, in 1989, \$5 million was raised across this province in support of kidney research. I think every one of us and the people who are taking in the Legislature today still have an opportunity to help in fighting this very horrendous disease.

There is so much that can be done through organ donations, through a better awareness of the problems you might have if you have high blood pressure, giving emotional and financial support to those people who happen to have kidney disease. Every one of us will know of someone who has had kidney disease. More and more people are becoming aware of the problem. If only everyone would begin to take it very seriously, we could eliminate the disease and do something very significant to help those who have the problem.

Let's remember that March is Kidney Month. Maybe each of us could do something to help.

# DARRELL ROLLS

Mr Ballinger: I am pleased to rise this afternoon to pay tribute to the quick-thinking actions of a constituent of mine, Darrell Rolls. Recently Mr Rolls, a resident of Whitchurch-Stouffville in my riding of Durham-York, was instrumental in assisting the Metropolitan Toronto Police and York Regional Police with the apprehension and charging of a murder suspect.

On Monday 12 March Mr Rolls spotted a man in a car in downtown Stouffville that had just been described in a radio news broadcast as that of a suspected murderer. Mr Rolls immediately drove to his house and phoned the Metro police and informed them that he had just spotted the suspect in the vehicle heading west on Highway 47 out of Stouffville. Then, playing a hunch, Mr Rolls returned to his car and drove to a small plaza in the west end of Stouffville where he located the unoccupied suspected vehicle.

The Metro police were again contacted by Mr Rolls, who informed them of the exact location of the vehicle. The Metro police then dispatched officers of the York Regional Police Force, who were forced into a 15-kilometre police pursuit and eventual capture of the suspected murderer.

According to Metro police, Mr Rolls is being recommended for a citation for his unselfish efforts in the apprehension and charging of a suspected murderer. It is great to know that Ontario has such caring residents as Darrell Rolls, whose personal initiative greatly assisted our police in the protection and the safety of its citizens.

# PROTECTION FOR HOME BUYERS

Mr Farnan: It is my intention later today to introduce a private member's bill entitled An Act to amend the Planning Act, 1983. This act will prohibit builders from selling unregistered building lots.

Two years ago 142 families purchased homes in Richmond Hill from Crest Valley Homes Ltd, one of the Libfeld group of companies. At the time of sale, the builder had not registered a plan of subdivision. Now the builder, who has still not registered the lots, is asking each family for up to \$85,000 more to build the homes. The original contracts to build between the builder and the home buyers have been extended 240 days. At the same time, Crest Valley Homes Ltd has delayed construction while trying to bargain more concessions from the local government.

The builder continues to sell more homes on land on which he has yet to receive approval from the town of Richmond Hill. This Liberal government has failed the Upper Yonge Village Homebuyers Association and many other home buyers. We must put an end to home-buying families being used as pawns by builders. We can do this through my amendment to the Planning Act, which I will table in the House later this afternoon. I urge the Minister of Municipal Affairs, who is sitting in the House at the present moment, to move on this particular item so that home buyers will be protected and not be subject to this abuse in the future.

1340

# LICENSING OF MOTOR BOAT OPERATORS

**Mr McLean:** My statement is for the Solicitor General and it concerns private member's Bill 8, An Act to provide for the Licensing of Motor Boat Operators.

According to a report aired on last night's edition of CBLT's Monitor, there are more than one million boats in Ontario and this province has more boats per capita than anywhere else in North America. Today's boats are bigger and faster and some can attain speeds in excess of 100 miles per hour. Yet you need no training, no testing. There are no age limits and a licence is not required to operate a boat on Ontario waters.

In 1988 there were 54 fatalities due to boating accidents in Ontario. This is unacceptable, especially when you consider that we require a licence for everyone who wants to operate a car, truck and all-terrain vehicle, but there are no licensing requirements for the operators of motor boats.

As members know, my bill requires an operator to have a licence, sets age limits and requires a written examination or the completion of a boat operation course. It sets fines and creates the offences of careless operation and impaired operation of a motor boat.

The minister should not rely on the interministerial boating jurisdiction committee to come up with a solution, because that group has been talking for seven years and no action has been taken. He should pass Bill 8 and reduce the number of boating accidents and deaths on Ontario's waterways this summer.

# ROBERT D. LOREE

Mr Elliot: The Marshall McLuhan Centre on Global Communications is honouring the 10 Ontario Marshall McLuhan Distinguished Teacher Award winners at a luncheon to be held this Thursday 29 March at the Sutton Place Hotel.

The Marshall McLuhan Distinguished Teacher Award program is intended to benefit the educational community as a whole by honouring teachers who have made a contribution to the improvement of the quality of education in Ontario through innovation and the effective use of learning technologies and methodologies.

Such a teacher is Robert D. Loree of Halton region, who has founded the Science Can! Awards, a noncompetitive science award program for all Canadian school-age young people. The purpose of that program is to encourage all young people to become more involved in science, technology and the world around them and to encourage adults to have an increased interest in and responsibility for the science education of young people.

The establishment of the Science Can! Award program has also resulted in Mr Loree being granted a 1990 Hilroy Fellowship Award of \$2,500. This award again is for innovation in teaching methodology and for sharing expertise with as many teaching colleagues as possible.

As Bob Loree receives the second of his awards for innovation in teaching methodology this Thursday, we wish him well and thank him sincerely for developing a most worthwhile science program for all school-age young people.

# **MUNICIPAL FINANCES**

Miss Martel: Tomorrow evening the regional municipalit of Sudbury will finally conclude its budget deliberations. The process has taken weeks and it has been a long and frustrating battle to cut costs where none can be cut. It became very cleathat this government's decision to freeze the level of unconditional grants to municipalities is having a huge negative impartupon them.

In Sudbury's case it was decided that across the board, it creases would be held to 10 per cent. In the social service department, however, the provincial commitments the department is required to meet run far above that 10 per cent ceiling. In the last year alone, the provincial government has impose the following: changes to the supports to employment program back-to-school allowance and dependent children funding under general welfare assistance; increases in the salaries chomemakers; establishment of the employer health levy and the resulting payout; implementation of pay equity legislation and finally, implementation of cost sharing of foster child payouts.

While the region agrees the changes are necessary, th provincial commitments result in a budget increase of some 1 per cent. Not one penny has been given to the region by thi Liberal government to effect these changes. The funding crisi has left the region barely able to meet its necessary expense and not able to provide necessary programs. While 105 new da care spaces are available, the region cannot afford payment c its share of these spaces.

This government has caused our municipalities great grie It is high time unconditional grant levels were raised to trul meet the needs of our communities.

# SKILLS TRAINING

Mrs Cunningham: My statement today is directed to the minister of all education. Yesterday the minister announced that the government will be funding eight pilot project career information centres operated by school boards across Ontario. The minister should be aware that if we are to remain competitive in the new global economy, Ontario desperately needs a highly skilled and adaptable workforce. Skills training is critical to one ability to meet the challenge.

Unfortunately, today there is a mismatch between or education programs and our labour market needs. It is appallin that in Ontario our current high school dropout rate is 30 pc cent. Instead of establishing career information centres, th government should be ensuring that programs are available i schools so students are trained in technical trades.

We must embark upon a vigorous change in the way we ducate and train our students so they will want to stay i school and complete their programs. The government must work together with business, industry and unions to make certain that on-the-job training and apprenticeship programs at more accessible and meaningful to the students we serve.

If the government is truly committed to training Ontario youth, the minister should be ensuring that meaningful trainin programs are available in the schools so that students not onl will have an opportunity to graduate from our secondar schools but will have training experience to ensure that they are competitive in the real world of work.

# FOOD BANKS

Mrs Fawcett: During the week of 5 March the standin committee on social development examined the use of foc banks. That was a very enlightening experience for me.

I had the opportunity to again visit our food bank in Cobourg, where I talked with Marion Dingman and Heidi Sargent about the work that the Cobourg-Port Hope food banks do inder the careful guidance of the chairman, Gerry Trew. I was nost impressed to hear how this organization has developed ince Harrison Milne was so deeply involved, how they receive he willing support of many church groups and community organizations. Volunteers like Jackie Nuen and Marg Whitfield are never in short supply.

But the one thing made clear to me was that to simply eliminate food banks will not solve the problems poor people face. What we must address is why the need for food banks exists. Our government is doing just that through the initial implementation of the Social Assistance Review Committee report, through budgetary increases since 1985 to the ministry, hrough rent-geared-to-income and non-profit housing and hrough elimination of OHIP premiums to the working poor.

However, poverty and the elimination of food banks cannot be addressed solely through the efforts of the province. We nust all take up the challenge and broaden the focus to include bublic and private interest groups and the federal government. Without real partnerships, without all the key players sitting at he table, we will lack the necessary tools to fight the root causes of poverty.

# STATEMENTS BY THE MINISTRY

# ALTERNATIVE DISPUTE RESOLUTION

Hon Mr Scott: I am pleased today to announce the creation of a \$1,125,000 fund for dispute resolution in Ontario. Over the next four years the fund, administered by an arm's ength board of directors, will provide incentives to lawyers, social scientists and, most important of all, community justice advocates to carry out research and evaluation in the field of alternative dispute resolution, or ADR as it is popularly known.

ADR techniques such as mediation and arbitration offer a complementary alternative to litigation, the traditional method of resolving disputes between parties in our justice system.

The fund represents the collaborative efforts of three major donors: the Ministry of the Attorney General in the amount of \$500,000, the Donner Canadian Foundation in the amount of \$320,000, and the Law Foundation of Ontario in the amount of \$300,000

The fund will be administered, subject to the board of directors, on behalf of the contributors by The Network: Interaction for Conflict Resolution of Kitchener, a national nonprofit organization active—indeed the leader—in the ADR field in Canada.

Establishment of the ADR fund represents an extraordinary opportunity for co-operation between government and the private sector and for blending the experience of judges and lawyers with that of mediators, arbitrators, academics and community justice advocates in individual communities.

#### 1350

In addition to the participation of my ministry, the Donner Canadian Foundation and the Law Foundation of Ontario, other groups have expressed an interest in contributing to the fund. We welcome their active participation over the next couple of months.

Alternative dispute resolution techniques can be used in a variety of circumstances and in a variety of ways. Arbitration and conciliation have long been used effectively, and to great advantage, in resolving labour relations disputes. Family media-

tion, though contentious in many respects, has an increasing number of advocates. The use of ADR is widespread in the United States on the assumption that it reduces the financial burden on the justice system, reduces the time and cost for litigants and provides a more satisfactory experience for the parties than the adversarial process of litigation.

Interest in Canada in applying ADR to a broader range of problems is burgeoning. In fact, this Legislature's standing committee on administration of justice, under the chairmanship of the honourable member for Ottawa West, is conducting hearings at this time to examine the different faces of ADR and its value in resolving and even reducing conflict in society. I can tell members that I have had occasion to read the transcripts of that legislative committee in full, and I believe that what we are proposing today will supplement the important work it is doing in analysing policy decisions that may be made by future governments or this government about ADR.

However, the lesson we have learned from a decade of American experience is that rigorous evaluation must accompany all experiments. The fund, under its independent board, will target legal and social research aimed at evaluating the capacity of ADR to reduce costs and delays and to determine whether it provides a more satisfactory means of resolving disputes between parties without diminishing legal or constitutional rights. Educational projects which encourage the use of effective ADR techniques will be funded. At the end of four years, all of the participants in the justice system will have the benefit of this research to guide them in the development of future policy and programs for ADR.

Advocates—and I am one of them—argue that ADR has great promise. To determine its future role in the justice system, ADR must be tested on the ground in Ontario. The fund for dispute resolution will encourage this evaluation.

The Speaker: The Minister of Education, Colleges and Universities, and Skills Development.

Hon Mr Conway: Thank you very much, Mr Speaker. You do that with an inflection that almost makes me think of the member for London North; but I want to get on with the statement.

# LINKAGE PROJECTS

Hon Mr Conway: One of the challenges facing education today is the speed at which the labour market is changing—an observation that my friend from London was making earlier this afternoon. This is especially the case for the skilled trades, where the impact of technology has transformed the very nature of employment.

If Ontario is to be competitive in the more international market of the future—as I am sure my friend from York South would want it to be—we must adapt the educational system in ways that ensure students headed for this major employment market progress smoothly from one stage of education to the next. One way we can do this is by forging and strengthening partnerships between educational institutions to better help high school students evaluate their employment options and to make decisions that are both relevant and personally fulfilling.

For these reasons, I am pleased to announced today that the Ontario government is funding 44 school-college linkage projects between Ontario's secondary schools and a number of provincial colleges of applied arts and technology. These linkage projects represent all regions of Ontario and are intended to increase access to, and success in, college programs for a wider range of students.

A total of \$910,000 has been allocated by the government of Ontario to support these projects, each of which will receive between \$10,000 and \$30,000. Most of them will also be funded by the colleges and school boards involved. Overall, the provincial government, colleges and school boards will spend more than \$2.8 million on this important initiative.

Each project is based on a formal agreement between one or more school boards and one or more colleges of applied arts and technology. The institutional links so formed will allow school and college teachers to co-ordinate their efforts to help students plan and to achieve their goals. In particular, the projects will make possible the identification of those secondary level courses, skills and levels of performance that will best prepare students for specific college programs leading to a chosen career path. Formalizing partnerships in this way will also help schools and colleges to build continuity into their programs. In some cases, students will also be able to earn advance standing or preferred admission at a community college for their high school work.

Many of the projects receiving this startup funding are aimed at improving access to college programs for specially targeted groups such as women, francophones, native peoples, exceptional students and those who are members of visible minorities. It is hoped that the closer co-ordination of schools and colleges will enhance opportunities for the success of these groups.

Some projects will also focus on the needs of students in basic and general level secondary programs who intend to pursue post-secondary studies.

I consider these school-college linkage projects to be very important. They will build upon those initiatives already being undertaken by this government to assist students in finding their personal niche in a marketplace full of new and exciting possibilities.

If Ontario is to be competitive in the global economy, we must first ensure that every student in this province has access to a full range of educational options. The development of individual potential should be a goal that concerns us all, and I believe that these closer links between secondary schools and the community colleges represent one very important way we can play a major role in realizing this most important objective.

**The Speaker:** Are there any other ministerial statements? If not, responses.

Mr R. F. Johnston: I gather the Minister of Health wanted to respond, but if I could go first, I would appreciate that.

#### **RESPONSES**

# LINKAGE PROJECTS

Mr R. F. Johnston: I want to compliment the minister for coming forward with an initiative that one might consider to be an obvious thing to do—establish linkages between the schools and the colleges—but I want to say that I am absolutely perplexed by the timing of this.

We have a process under way, which I am sure the minister is aware of, called Vision 2000, which is doing a review of the college system and its linkages to the school system and to the universities to discover what should be the future of those institutions. It is not as though we are expecting this review to come down a year or two from now after some provincial election. This review is on line; it is, as I learned yesterday, going along very nicely and it is imminent in its release.

If we put this kind of announcement by this government in that context, this becomes almost a slap in the face to the people who are involved in the Vision 2000 process. Why should they not be a little suspicious that the government is trying to circumvent the process a little bit, move a little bit in the directions that they probably will be recommending, but then ignore them and their long-term recommendations that will be coming out in just a matter of weeks, from what we hear? What strange timing. Why this today?

Also, if this were some sort of comprehensive program, then we might think this has been something which has been in the works a long time, which the players in Vision 2000 know all about and are not going to be surprised about when they see this coming out today. But in point of fact there is all sorts of mealy-mouthed wording in this which makes it unclear that this is a system-wide kind of process. Are all the province's colleges of applied arts and technology involved? No—very interesting—a number.

If this is something that we think is important, having linkages between our high schools and our colleges, why are not all of them being involved? Why do we have a half-thought-out kind of announcement weeks before the major review on colleges takes place? What is going on here? This government is obviously playing fast and loose with people who are taking a process of review very, very seriously.

#### ALTERNATIVE DISPUTE RESOLUTION

Mr Kormos: First, the Attorney General's announcement is, not totally unexpected, and indeed he is quite right, the standing committee on administration of justice—and we participated in that process—has been discussing alternative dispute resolution and hearing from a number of witnesses now for several weeks.

It is remarkable, though, that funds could be found to this extent for this program when it juxtaposes and parallels what the justice committee has been doing right here in the Legislature and when programs like support and custody order enforcement programs have been wallowing in extremely heavy case loads and being particularly ineffective at producing results for those people.

Women with orders for payment of child support have been going without funds, relying on support and custody order enforcement, relying on the government to deliver, to help them in time of need, and the government is not funding these programs. These programs are not delivering to those women and those fatherless children in times of need. Programs like supervised access, which are incredibly important to parents, to grandparents and to children, remain unfunded and again rely upon either volunteerism or the sorts of charity that one should think went out of style at the turn of the century.

Community legal clinics across Ontario suffer first from cutbacks by this government and then from a freeze on funding such that their services are not available to people across Ontario who need them. We have agreed in principle with the concept of developing alternative dispute resolution. However, we caution this government to heed the comments of groups like the Ontario Association of Interval and Transition Houses, which has great concerns about what alternative dispute resolution means for battered women and for the children of battered women.

OAITH made a submission to the justice committee indicating that it has gone through a whole lot of effort and energy to make the courts and the judicial system more responsive. Now they are being told that concepts like wife battering should be

27 MARCH 1990 175

egarded not as a crime but as an unfortunate manner of beaviour that could be rectified by mediation and counselling.

We join with OAITH in telling this government there is no ray that wife battering, child abuse and spousal abuse can be iminished by virtue of incorporating it into dispute resolution. Ve insist that those issues remain crimes dealt with by criminal ourts.

## LINKAGE PROJECTS

Mrs Cunningham: I would like to take the opportunity to peak to the statement by the minister of all education with egard to the changes he has proposed today. In spite of my ard work in this Legislative Assembly and his quick response bday to a concern, but not in the right arena, we are talking bout on-the-job training for young students in the intermediate arly high school years. We are looking for opportunities in pprenticeship programs separate from colleges and univertities.

We are talking about, in the beginning, the 30 per cent of oung people who leave our school system because they do not ke the program and they want to work with their hands, they rant to get their certificates and they want to know that they are a job afterwards. We are not talking about students who lways want to go to colleges and universities. I would very such appreciate if the minister would listen more carefully to systatements and respond accordingly.

# ALTERNATIVE DISPUTE RESOLUTION

Mr Sterling: Here we are, two and a half years into our erm of this Parliament, and the government has started to make lection announcements already. I wonder if this government, if were ever returned, would start election announcements one ear after its next time around. Two and a half years in and we ave the first election announcement this afternoon in this egislature.

Alternative dispute resolution, as the Attorney General has aid, is under consideration by the standing committee on adninistration of justice of this Legislature. The Attorney General id not have the courtesy to wait for the report of that commitee before prioritizing his expenditures on what would be best uited to address the problem of creating ADR mechanisms in his province.

Yesterday afternoon his parliamentary assistant came to the ommittee and said to the members of the committee, "I'm orry; the Attorney General is going to go ahead with this aniouncement," notwithstanding the fact that we have not yet ssued our report. This government has a total lack of regard for he committees of this Legislature and what they are doing. We ondemn this announcement today, and we think it will probaby be a total waste of the taxpayers' money.

Mr Jackson: The objectives of alternative dispute resolution are worthy and valuable of support and consideration for Intario. However, we are hopeful that this Attorney General would know, if he has read the transcripts of the standing comnittee on administration of justice—and as a member of that committee I would remind him—that a large group of Ontario citizens who expressed specific concern about the government's idden agenda in bringing in no-fault divorce in this province, which is similar to the plan that it is using from California.

The Attorney General knows that the Family Law Reform Coalition, the Metro Action Committee on Public Violence Against Women and Children, the Ontario Association of Interval and Transition Houses, the Barbra Schlifer Commemorative

Clinic and a growing number of women's groups concerned about violence are concerned about mediation plans that affect families in the midst of violent situations.

I would hope that the Attorney General would be sensitive to those issues, and I would hope that the Attorney General would expand his own narrow vision in terms of reform and ADR to include school boards and one of the most exciting programs made available to the children of Ontario, and that is peer mediation programs in our schools. I would hope that the minister would look with equal favour on those strong recommendations.

I represent a community where student violence has increased. Three students were shot in Ontario a few weeks ago. It strikes me that if the minister has the capacity to look upon that situation, he would know that we would do a great service to the children of this province to empower them with the skills in how to deal with disputes, how to resolve peaceably, how to be trained in those skills, so that as they go through life, as they confront problems in their marriage, in their family life and in their work environment, our school system has given them a curriculum that equips them with those.

I would ask the minister not just simply to narrow his pilot projects to the Attorney General's office and the law association, but to look with equal favour on the children of this province and expand peer mediation programs in Ontario schools.

**Hon Mrs Caplan:** I believe we have unanimous consent to introduce some special visitors in the gallery today?

**The Speaker:** Is there unanimous consent? Agreed to.

# **EVENTS IN EASTERN EUROPE**

Hon Mrs Caplan: Today in the visitors' gallery we have some very special visitors. There are four children here from Armenia, survivors of the earthquake, who are being cared for and treated by the Hospital for Sick Children. They have all had their surgeries and are doing very, very well and I would ask us all to acknowledge them. I will read their names into the record: Hrant Mardirossian, Ana Avdolian, Varsik Ajemian, Yenouk Grishkian, and his father, Henry Grishkian, is here as well.

Mr B. Rae: In welcoming the children from Armenia to our midst, I wonder if I might have the indulgence of the House to report on a phone conversation that I had about an hour ago with a family that I stayed with in Lithuania. I think it would be of interest to the many members of the House who travelled with us on the delegation.

I want to report to the House—and I discussed it with my colleague from Scarborough, who has also received some news—that, as members perhaps will have heard but I can confirm, several Lithuanian citizens who refused to enter the Soviet army because they feel it to be an army of occupation were taken from hospital and from psychiatric institutions where they were trying to seek asylum. I have reports that they, as well as members of the Lithuanian police who attempted to intervene on their behalf, were severely beaten. The report I heard at lunchtime today was that one of the policemen was so severely beaten that his brain was damaged.

There are also, naturally, reports of extensive troop movements in the capital of Lithuania. My host said, when I spoke to him on the phone just a couple of hours ago: "There are policemen everywhere. It is very different from when you were here just a couple of weeks ago."

I am sure I am expressing the mood of the entire House when I express my horror at what has happened and express our fervent hope that the Soviet occupying authority will come to its senses and will finally recognize the right of the Lithuanian people to seek independence, their right to sovereignty and their right to live in peace and freedom, which was the right and desire we universally heard throughout that wonderful country which we were able to visit just a few short weeks ago.

## 1410

Mr Brandt: I want to join with my colleagues in welcoming the young students from Armenia to our Legislative Assembly.

We in Ontario have always had a history and a tradition of extending a helping hand to those from other parts of the world. That, I am pleased to say, is continuing and we trust your visit here with us will be one that you will look back on with joy over the years.

I wanted to comment as well, very briefly, on the Lithuanian situation. I would hope, from what the Leader of the Opposition has said, that cooler heads will prevail and the situation will not continue to deteriorate. We as a Legislature have had some interest in that situation in that we were invited to participate, as members are well aware, in the first free elections in Lithuania as observers.

With all the very favourable and very positive information that was coming out of the eastern European countries and some of the Soviet satellite countries over the course of the past few months, I think the euphoric feeling we had here in the free world was that this move would continue to happen rather unabated and without the kind of impediments that appear to be cropping up very quickly in the country of Lithuania.

I know I share the sentiments of all my colleagues in this House when I say, and join with them in saying, that I trust something will occur in regard to the deterioration of that situation that will cause it to get back on to a more acceptable foundation so that the people of Lithuania can move towards freedom and democracy, which is the very clear wish and desire on the part of their country. Hopefully this situation will be brought under control very shortly. I too am very concerned about what has been happening. Certainly it does not look good at the present time.

Mr Fleet: As one of the individuals who had the opportunity to travel to Lithuania, I want to share with the previous speakers my extreme concern, and also to convey to all members and to the public in Ontario the sense of optimism, the sense of determination and the sense of proceeding in a peaceful and democratic way which was so pervasive when we were in Lithuania.

To now learn of a series of escalations on the part of the Soviet armed forces to lead to increasing acts of violence, I must say, I find increasingly distressing. Of course, we all agree that there is a strong need and really a moral requirement for the Soviets to cease this kind of continued provocation and violence. I would like to remind members that both Mr Gorbachev and Mr Shevardnadze here in Canada had indicated they would not be using force in this way and they have not kept their word.

I would also like to point out to members that the expressions we received while we were in Lithuania have been repeated by the current president, President Landsbergis, when he calls for our assistance, because they believe this is an opportunity for us to have input, to make a clear statement that this will in fact assist people in Lithuania who are completely

peaceful and who are determined as much as possible to avoid any violence. But it is clear that there are provocations being created by the Soviets.

I would urge members on a personal basis to look to ways we can do that. I indicated in the House on Monday what the government of Canada should be doing in terms of recognition and, obviously, condemning the actions of the army of occupation in Lithuania. I might add for members of my caucus, I will attempt to speak to all of them, or as many as I can, this afternoon during question period about other things that might be available in that respect.

Last, although it has been mentioned already by one of the members of my caucus, I would like to stress also my personal pleasure to have this opportunity to welcome all the children who have survived the very difficult earthquake in Armenia. We are delighted to have them here.

# **ORAL QUESTIONS**

# HEALTH CONCERNS AT SCHOOLS

Mr B. Rae: I have a question for the Minister of Education. I wonder whether the minister would share my view that teachers and parents, particularly parents, should be entitled to inspect the schools which their children are attending, should be entitled to have access to those schools, should be entitled to choose technical advisers with respect to the presence of asbestos in those schools and that those rights are ones that should be provided for. If the minister does share that view, I wonder what he intends to do to make that right effective today.

Hon Mr Conway: I certainly accept the view that ratepayers to a school board have very clear rights to understand what is going on within the facilities of the board to which they pay rates. School board accommodation is a matter of local board responsibility and I would expect the parents staff and students to take those matters up with the relevant school board.

Mr B. Rae: We have an immediate problem today, and the problem could get very much larger, I would suggest, unless the minister is prepared to take some positive steps to ensure that parents have access to information, that they have access to independent advice and that, in particular, they are given a degree of guarantee that they themselves can have a look-see at what is wrong and what is right, that they can get answers to questions and that if they seek independent advice, the right to that independent advice will be respected.

The minister will know that the Metropolitan Separate School Board has written to Mr Gray, or its lawyers have written to Mr Gray, indicating that he is not welcome on any school properties and that indeed he will be regarded as a common trespasser if he appears on school property. In fact, he had to leave a school in my constituency. Does the minister believe that the parents of that school, Our Lady of Victory, have a right to choose the adviser and that that adviser should have the right to access to the school on their behalf?

Hon Mr Conway: I repeat to my learned friend the Leader of the Opposition, who knows it very well, that in this province we have locally elected school boards which, under the Education Act, have very clear responsibilities; one of those responsibilities is of course the facilities, the accommodation. I would be the first to tell my friend what he would know, and that is that the rights of parents, staff and ratepayers are very clear. would strongly encourage parents and staff and others within a

poard jurisdiction to pursue those rights with the relevant authorities. In this case, so far as accommodation is concerned, that discussion ought to be with the particular school board.

Mr B. Rae: I think the Minister of Education has a leadership role here. We know, for example, that the rights of the eachers are set out in the Occupational Health and Safety Act. The rights of caretakers are set out in the Occupational Health and Safety Act. The rights of parent-teacher associations and he rights of parents who are members of parent-teacher associations with respect to access to the schools in a matter of his kind are not set out in any legislation, and the minister knows that.

This is a very sensitive issue. It is very important that parents have complete confidence, that they have access to information and that they have the right to inspect and the right to choose their own advisers and the right for those advisers to be able to inspect. Otherwise, we are not going to get a resolution of this issue. I want to ask the minister, why is he so reluctant to play a constructive leadership role, when that is obviously what is required?

Hon Mr Conway: I am quite prepared to discharge my responsibilities in regard to the requirements of the Education Act. I said to the honourable leader's colleague the member for Scarborough West yesterday that over the past number of years the Ministry of Education has provided millions of dollars to school boards to deal with the asbestos concern. My colleague the Minister of Labour has very clear responsibilities in so far as the health and safety questions here are concerned. I would certainly expect that school boards would discharge their responsibilities and I repeat, the issues surrounding accommodation and access to facilities in these and related matters fall entirely within the purview of locally elected school boards. I would fully expect, and strongly encourage, those school trustees with these responsibilities to address the very real concerns of ratepayers in regard to issues of this kind.

1420

#### TIRE TAX

Mr B. Rae: A question to the Minister of Revenue: I wonder if the minister can explain why the renter of a car, in this instance it happens to be my colleague the member for Lake Nipigon, who rented a car from the Avis rental agency—

Hon Mr Peterson: A Mercedes?

Mr B. Rae: No, I do not think it is a Mercedes. The Premier asks.

Mrs Grier: A North American car, of course.

The Speaker: Order.

Mr B. Rae: The car rental agreement provides for a tax. The sales tax in Ontario, the minister will know, is eight per cent, but this agreement provides for a tax of 8.3 per cent, which I understand is a surplus being charged by the rental company because of an agreement with the government of Ontario that this is how consumers are going to pay for the tire tax. I wonder if the minister can tell us, is that the case, and can he tell us under what legislative authority this kind of surtax is being imposed on consumers?

Hon Mr Mancini: The matter that the honourable leader refers to is an agreement which was made by my predecessor and the industry. The matter was one that received some consid-

erable discussion, I understand. It was felt that the tire tax could be collected in a fair manner by having all persons who would be using and renting the cars pay a fair share of the tire tax and not having, for example, the first person renting the vehicle paying the entire tax on the tires.

Mr B. Rae: This government's appetite knows no bounds.

Hon Mr Conway: That coming from a socialist.

Hon Mr Scott: There are only about five socialists over there

Hon Mr Conway: They are all retired.

The Speaker: Order. Are you finished?

**Mr Pouliot:** Mr Speaker, I was robbed and they are all laughing. This is a serious matter.

The Speaker: Order. You could have asked the question.

**Mr B. Rae:** I did not know heckling from the chair was permitted, Mr Speaker.

I do not see this in the act, and maybe the minister can point it out to me. The act says very clearly that you have to rent a car for at least seven days before you should be charged the tire tax. It is my understanding from discussions with ministry officials that the minister has invented a new system whereby people who rent cars for less than 30 days are all being charged this new, special rate of 8.3 per cent. I would like to ask the minister, why it is that this secret tire tax deal has not been made public and what is his legislative authority for bringing in this secret tire tax deal?

Hon Mr Mancini: There is no secret tax. I want to say to the Leader of the Opposition that his colleague spoke to me late last week and brought the matter to my attention, and I promised his colleague here in the House that I would review the matter. I have received some information, but not all that I have requested. I understand that these were the arrangements that were made at that time. When I am finished reviewing the matter again, I will get back to the House.

Mr B. Rae: There is a very basic issue here of public policy. You have a sales tax rate which is set by the legislation, you have a tire tax which was imposed by the Treasurer, and now we have a new rate. You might call it the Remo rate, the rate that is being charged to people who are subject to a special deal. I want to ask the minister, where is a copy of this deal, why has this deal not been made public and can he tell us how much money he is planning to raise under this deal as opposed to how much money he was planning to raise under the tire tax before he signed the deal? Those are facts that should be made public, and he ought to make them public.

Hon Mr Mancini: Remo has not done anything except promise the member's colleague that he would review the matter. That is exactly what Remo has done. The member's colleague spoke to Remo last week and the good Minister of Revenue, Remo, said he would review it. And that is what Remo is going to do.

# INVESTMENT IN ONTARIO

Mr Brandt: My question is to the Premier. A very disturbing report has just been released by the Automotive Parts Manufacturers' Association of Canada. That report indicates very clearly that Ontario, during the term of the Premier's government, has deteriorated from being one of the best invest-

ment locations in North America to being perhaps the worst location in North America for new investment in the automotive industry.

Surely this kind of report should be disturbing to the Premier as well in that it will have a very specific impact on future investment decisions that are going to be made with respect to our province. Since his government paid for part of this particular report, I wonder if he could share with this House what he plans on doing to change the attitude of the auto parts manufacturing association since they now say no to Ontario.

Hon Mr Peterson: I think the Treasurer could help my friend and explain some of the things that the report overlooked.

Hon R. F. Nixon: I am very glad the honourable member raised the report, because the perceptions that the report is disseminating are erroneous in that we are not the worst for business decisions to locate or expand here. I think the honourable member, being a businessman himself, would agree that we have taken great steps in Canada, and particularly in Ontario, to see that we have maintained our competitive position.

There are a number of specific matters that the report the honourable member refers to seems to have overlooked in the statistical aspects, not the least of them being the fact that we have premium-free medicare here, which as he knows, compared with any jurisdiction in the United States, is attractive indeed. Not only does it provide excellent care, but the cost to industries which choose to provide this service for their employees is far below that which must be paid in the United States and which is escalating at a rate of from 20 per cent to 35 per cent.

There is a list of these things that I would like to bring to the honourable member's attention but, since the Speaker is now glaring at me, perhaps we could let this go to a further part of his question.

Mr Brandt: I would like to point out, since the question was referred to the Treasurer, that it is as a result of his policies that the comparative advantage in investing in Ontario compared to Quebec has eroded from a 10 per cent tax advantage in this province to a tax advantage which has virtually been wiped out as a result of the employer health levy and other initiatives that the Treasurer has taken in isolation from other jurisdictions, and without, I might add, giving consideration to our competitive position in an overall sense.

The fact of the matter is, this report will be widely circulated and will impact not only on the automotive industry but on other investment decisions made by other potential industrialists. Is it not a fact that our competitive position, forgetting about medicare compared to the United States but looking only at Quebec, has in fact deteriorated very substantially?

# 1430

Hon R. F. Nixon: Our position vis-à-vis Quebec still is an excellent one. I want to quote from one aspect of the information that is associated with the report that is typical of some of the exclusions that concern me. In the Canadian Tax Journal there is a reference to the fact that provincial investment incentives, including Ontario's current cost adjustment, have prevented Canada from losing its advantage relative to the United States in terms of the taxation of manufacturing investment in machinery and equipment, and that loss was on a basis of federal tax reform.

It is a bit inappropriate, I suppose, but I will say it anyway: The honourable member, having read the report, would have noticed that since it deals in perception rather than facts, al though the facts as the authors see them are tabulated, it ask the question specifically of manufacturers in Quebec when they would locate if they had an opportunity to do so, and in large majority of the cases, the answer was Ontario.

Mr Brandt: No question. I find myself able to agree with the Treasurer on one point: In terms of geographic location we do have an advantage. Were it the position of his governmen and were he in a position to so do, he would probably move Ontario to the North Pole or someplace and get rid of that las advantage we have got.

When he introduced the employer health levy, a report fron the Ministry of Industry, Trade and Technology indicated very clearly that this was going to have a negative impact on the province, that it would slow down job creation and that in fact any decisions made with respect to new industrial and economic decisions in this province would not be favourable as a direct result of the additional \$2.5 billion that the Treasurer is taking out of the economy. Why did the Treasurer not listen to the Ministry of Industry, Trade and Technology when it shared with him its concerns about the additional taxes that he extracted from industry in Ontario?

Hon R. F. Nixon: Mr Speaker, I think you and the mem bers would agree that we offer services in this province that are far in excess of those available in most jurisdictions. While companies seeking to locate and expand are concerned abou taxation costs, an area in which we are completely competitive they are also looking at other significant matters, particularly the currency exchange costs. I was concerned today to see tha the value of the Canadian dollar had moved up above 85 cents This is a substantial deterrent when it comes to decisions be tween the United States and Canada, which must concern everyone.

If the honourable member is not going to allow his anxiety to infect the whole province, I think he should be aware that the most recent report from Statistics Canada, March 1990, on a survey of investment intentions indicates that business plans to spend \$33.2 billion on capital expenditures in 1990, a 5.5 pecent increase over 1989. Perhaps we would like that at a higher ate. As a matter of fact, a couple of years ago the 5.5 per centate was more like 12 per cent, but this is a clear indication that we are not being abandoned by those people who have the responsibility to invest capital, which has assumed international importance. We are among the leaders of that sort of expansion.

# COURT SECURITY

Mr Brandt: I have a question for the Premier. Knowing how modest his government and cabinet members are with respect to the economic affairs of Ontario, I want to ask the Premier about courtroom security in Bill 187. He indicated in a comment he made in Kingston that he was not prepared to review the grant structure for municipalities as it relates to this additional burden, this additional cost, which he has simply passed on to municipalities.

Since the time that he has made that comment, there have been courtrooms which have not been opened or were forced to close as a result of inadequate funding for those particular facilities on a local level. In recognition of the fact that some of the numbers are before him and that he knows exactly what those costs are, and having heard from the Attorney General on this earlier when he indicated it would not be an additional cost to municipalities, is he prepared to do what is right and prope

and pick up some of the burden that municipalities are faced with in funding their program of courtroom security?

Hon Mr Peterson: The Attorney General can bring my honourable friend up to date on this matter, which I know he is concerned about.

Hon Mr Scott: The question betrays two assumptions that are unfortunately not correct. The first is, with the exception of the city of Toronto, with which the previous government of unhappy memory entered into an agreement to deal specifically with courtroom security, courtroom security has always been a municipal responsibility in Ontario and funded under the unconditional grant.

I would remind the honourable member that this was acknowledged in 1985, when the honourable member's party, desperate to cling to office one more year, indicated to the municipalities that it would expand the unconditional grant by, I think, 50 cents per household to take account of the additional costs of courthouse security.

The one thing the honourable member will want to know—and if he would like to phone Mr Timbrell, if he is not running a conference, he can tell him—is that this has always been a police responsibility in Ontario.

The other assumption-

Interjections.

**Hon Mr Scott:** I seem to be getting some activity over there, Mr Speaker, some signs of life. Shall I reserve the rest for the inevitable supplementary?

The Speaker: Our standing orders do allow that, so I will recognize the member for Sarnia.

Mr Brandt: The Attorney General will be pleased to know that the inevitable supplementary is going to incorporate a quote from one of his cabinet colleagues, who early this month in North Bay said—and I am quoting the Minister of Municipal Affairs, who sits very close to him—with respect to the funding for courtroom security:

"In my travels around the province"—presumably Ontario—"I have learned the total resources required is more than what is built into unconditional grants. I have reported this to cabinet, that we need to take another look at it."

Does the Attorney General agree with his colleague, a learned, honest, straightforward gentleman, or is he going to attempt to fudge the issue and pretend that this program is not costing municipalities literally millions upon millions of dollars which he has simply foisted off on them?

**Hon Mr Scott:** It is a lot easier and certainly more comfortable to agree with my colleague than with the leader of the third party, who again has it wrong.

As I was saying before I was interrupted by the cacophonous refusal to listen to my previous answer, the second assumption in the honourable member's question is that courtrooms are not operative or are closing because of a resistance on the part of municipal authorities to provide in the traditional way the courtroom security that they have always, in my 25 years of practice, provided.

In fact, out of the 235 courtrooms in the province, there were two courtrooms, one, I believe, east of Ottawa and one in Belleville—

Mr Villeneuve: Alexandria. A major problem.

Hon Mr Scott: Is the member for Stormont, Dundas and Glengarry happy in his party? Since the leadership candidates

have started speaking about French-language services, the honourable member has not asked a single question.

But as I was saying—

**Mr Brandt:** He recognizes, as I do, you need all the help you can get.

The Speaker: Thank you. Order.

Interjections.

The Speaker: Order.

1440

Mr Brandt: With respect to the cost of courtroom security, the Attorney General can attempt with his verbal gymnastics to do whatever he wishes. The fact of the matter is that Metropolitan Toronto is going to pay an additional \$4.5 million. The city of London, which has the Premier as one of its representatives, will pay \$120,000. For Niagara region it is \$1 million. The great community of Sault Ste Marie is going to pay some \$300,000 more, and the community of Sarnia some \$400,000 more. That is only the beginning of the cost, which he says is nothing more than a figment of my imagination.

I wish the Attorney General would say that directly to the municipalities, because they are the ones that are going to have to increase local taxes in order to pay for a bill that he has passed on to them. Will he not accept the responsibility as Attorney General, speak to his benchmate the Treasurer, get some additional funds in those unconditional grants and absorb these increases, which are his responsibility?

Hon Mr Scott: The statements that have been made about the additional costs that are imposed are precisely that. The court administration officials in my ministry, the member will want to know, if he will just get that crowd quiet for a minute, have met with municipalities—

Mr Brandt: As you are during everyone else's questions.

Hon Mr Scott: You see, here you go again.

Mr Brandt: Oh, I wouldn't want to disturb you, Ian.

Hon Mr Scott: Is this time counting, Mr Speaker?

The Speaker: It is.

Hon Mr Scott: All right. The court administration officials have met with municipalities all across Ontario, who have told us that they will be obliged to spend these large sums of money. In fact, in almost every case arrangements have been made so that the increases in cost are either nonexistent or relatively modest. The honourable member will want to know that before he suggests that the costs in this bill are exorbitant.

The Minister for Municipal Affairs, quite appropriately visiting across the province, heard that the complaints were made, and I am confident that in the discharge of his duties he will analyse over the course of the year what additional expenditures in fact are made and then propose an appropriate solution. But the case I am making is that in most cases there will be no additional cost whatever.

Interjections.

The Speaker: Order. All members may wish to know the clock is still running.

# RENT REGULATION

Mr D. S. Cooke: I have a question for the Minister of Housing regarding his rent review system and the impact it is having on a lot of tenants in Ottawa.

The minister will be aware that the financial loss provisions of his rent review legislation encourage the sales of buildings and then the tenants pay for the increased cost of the mortgages. You might say that the minister's rent review legislation encourages owners or developers to buy high and sell higher, because the tenants are going to pick up the cost anyway.

One example is tenants who live at 300 Cooper Street in Ottawa. Their 37-unit apartment sold in 1985 for \$1.5 million. Obviously the new owner was hoping at the time to convert. That was not possible, so now he has gone to rent review and he was able to get, under the minister's financial loss provisions, a rent review increase that will allow him to get a 10 per cent increase over each of the next four years, so 40 per cent in rent increases to those tenants.

Is the minister not going to agree that tenants are getting really ripped off by this section of his rent review legislation, and what is he going to do to protect tenants under these circumstances?

Hon Mr Sweeney: Two points: The first one is that the honourable member is probably aware of the fact that back in 1982, when we had quite an apartment flip situation in this province, there was no limitation whatsoever on how much a landlord could request through rent review as far as financial loss was concerned, and some of the approvals were quite high. As a result of that particular activity back in 1982 the legislation was changed to put the five per cent per year limitation on.

When the legislation was reviewed once again in 1986, the honourable member will recall that at that time there was representation from both sides, landlords and tenants. No one is suggesting that everyone was represented, but there was representation from both sides. When the question was put about the five per cent financial loss, neither side could come up with a better option to deal with the situation; therefore, it was left in. That is why it is still in there: because it is better than what was there before and no one has been able to come up with something better.

**Mr D. S. Cooke:** Perhaps the best way of dealing with this problem is for the minister to scrap his rent review legislation, which is not protecting tenants, and bring in real rent control to protect tenants across the province of Ontario.

In the absence of that, I would like to ask the minister what he is going to do to protect tenants like those at 781 and 783 Somerset in Ottawa, who are going to be paying an additional 10 per cent for the next 15 years, a rent increase of 150 per cent; or the tenants at 290 Gloucester, who are going to be paying 100 per cent over the next 10 years. I have got two pages listing buildings in Ottawa where tenants are going to be paying between 40 per cent and 150 per cent rent increases because of this loophole.

Does the minister not realize that the law has to be changed because landlords have found this loophole and are taking advantage of it at the expense of tenants? He is the only one who can protect those tenants.

Hon Mr Sweeney: Let me share with my honourable colleague that some of the cases he has drawn to my attention have come to my attention from other sources, and we are certainly taking a look at whether or not there should be a limitation on how many times this can take place.

Recently a request came from Toronto city council that we ought to look into this same situation. But there was an interesting statement by the staff of Toronto city council with respect to their motion. Let me share it with the honourable member:

"At the present time, there is little hard data which would help support or counter this motion. Anecdotal evidence is also inconclusive. There is also concern that the motion, as presently drafted, may have some unintended harmful effects on smal landlords."

The only reason I want to share that with my colleague is that it so often happens in rent review—as he well knows, we have a complicated system because we are trying to cover so many different bases—that we have to be careful that by making one change we do not have another unintended effect which can be even more serious.

I am quite prepared to re-examine the frequency of what the member refers to as flips, but all the evidence seems to suggest right now that the five per cent loss provision is a realistic one By taking it out completely we could do considerable harm particularly to smaller landlords, and my honourable colleague is well aware of the fact that the majority of landlords in this province are smaller landlords.

# CHILDREN'S MENTAL HEALTH SERVICES

Mr Eves: I have a question of the Minister of Health. I would like to ask the Minister of Health whether she feels in her capacity that she has any responsibility whatsoever in the field of children's mental health.

Hon Mrs Caplan: Children's mental health programs are presently provided by the Ministry of Community and Social Services. Some programs are provided from some of the hospitals, but not specifically under the rubric of children's mental health

Mr Eves: The Ontario Association of Children's Mental Health Centres has recently been very frustrated in its attempts to try to get through to this government to have something done about the 10,000 children on waiting lists in this province. They have recently publicized the case of a 15-year-old girl who attempted suicide many times. It was only after those suicide attempts that the minister's government, or her system. provided any sort of treatment whatsoever for this child, and that was as a result of her hospitalization because of her attempted suicides.

Is that the type of concern that the minister has for the 10,000 children on waiting lists in this province, that her government has, when the only time they are prepared to dc anything about them is after they attempt suicide and are hospitalized? Is that the type of commitment her government has to those 10,000 children?

Hon Mrs Caplan: Of course, the member opposite is absolutely wrong when he asks the question in the way he does. I would say to him that everyone is concerned about children's mental health and that a decision was taken some time ago about the program being transferred to the Ministry of Community and Social Services. At the present time, the program is being reviewed, and there is no substantiation for the data he is announcing, nor is there any clear data on what those numbers actually are. While we are all concerned about seeing that services are provided and that children have access to needed services, it is very important that we have the facts so that we can plan properly to meet those needs.

181

# SEXUAL ASSAULT

Mr Adams: My question is for the Minister without Portfolio responsible for women's issues. As members know, in the coming weeks thousands of young people will be graduating from our colleges and universities. As members also know, this has been a very turbulent year for women in institutes of higher education. They have been subjected to sexual harassment and sexual assault. Tragically, some of our most promising young women have been murdered in their classrooms. What is the government doing to make campuses in Ontario welcome learning environments for young women?

## 1450

Hon Mrs Wilson: This government is determined to maintain safe and secure communities for every person in this province. Women have a right to feel secure in their homes, on the streets, in the workplaces and in our institutions of higher learning.

I recently announced new funding of some \$28.8 million in a long-term, government-wide strategy to address the issues of sexual assault. This new strategy was developed in consultation with a government-wide interministerial committee. The Ministry of Colleges and Universities was a very active participant in that committee in developing a three-pronged approach: first, services to victims; second, justice initiatives and, third, initiatives in public education and prevention.

Mr Adams: Recently, through the Ontario women's directorate community grants program, the Peterborough-Trent Women's Coalition received funding from the minister to hold a three-day conference to address issues of concern to women at Trent University. I ask the minister now, will the sexual assault initiative which she mentioned have a similar funding component to assist colleges and universities in changing attitudes and raising awareness of violence against women?

Hon Mrs Wilson: An essential component of our government-wide strategy to reduce the incidence of sexual assault is a public education campaign with almost \$2 million addressed to local communities to take part in raising awareness about the myths and the facts of sexual assault in their communities. Colleges and universities are eligible to apply for those funds, and indeed announcements were being made last week and are being made this week with regard to those community grants.

I am very pleased to see that many colleges and universities are now establishing and reviewing their sexual harassment policies. Many have in fact set up commissions and task forces to look at ways that they can make recommendations to make their campuses welcoming learning environments for women. I think that universities and colleges do have an opportunity they can take to serve as models for a change in social justice and nonsexist attitudes for women as women move towards obtaining equal rights in this province.

# PROTECTION FOR HOME BUYERS

Mr Farnan: My question is to the Minister of Consumer and Commercial Relations. This morning the minister met with representatives of the Upper Yonge Village Homebuyers Association. At that meeting, the minister clearly indicated to the group that he was personally concerned and was considering an investigation of the Crest Valley Libfeld group and its dealings with the upper Yonge home buyers. If the minister is considering an investigation, what precisely are his concerns and when can we expect the investigation?

Hon Mr Sorbara: My friend the member for Cambridge is right that I met with the organization this morning. I am not sure that he was there; perhaps he was there electronically. Had he wanted to come, he could have joined the meeting. He did not ask to come. I do not want him to suggest that this actually is authority for what I said at that time.

I expressed to the home buyers' association some of my concerns about the circumstances which have led to the cancellation of their agreements under the Ontario New Home Warranty Program. I said to them that we have been examining the facts in that case. And as a result of the situation there, we are reviewing both the Ontario New Home Warranties Plan Act and regulations within my ministry to ensure that consumers are protected in circumstances similar to those experienced by those home purchasers.

Mr Farnan: The minister has the responsibility to protect all the consumers across the province. It would appear that the Libfeld group has failed to live up to its obligations under the Planning Act, by selling prior to draft plan approval, and under the Ontario New Home Warranties Plan Act, by failing to complete its contract with the upper Yonge home buyers with integrity and honesty.

Surely there is sufficient evidence here to warrant a thorough investigation of the Libfeld dealing with the upper Yonge home buyers and for consideration of deregistration of the Libfeld group of companies. The people of Ontario do not need a toothless tiger to protect them. If the minister has any teeth, when is he going to move to protect the home buyers of Ontario?

[Interruption]

The Speaker: I would remind all visitors that we are happy to have them here; however, they are not allowed to participate in any way or demonstrate in any way.

Hon Mr Sorbara: I regret that my friend the member for Cambridge wants to take crass political advantage of a situation confronting a number of home purchasers who would have liked to have seen the transaction closed. I just want to tell him, though—

Mr Mackenzie: The arrogance of this government.

The Speaker: Order.

Hon Mr Sorbara: —and my friend the member for Hamilton East, if he will be quiet for a moment, that the matters he raises are now before the courts. I have no control over whether he wants to discuss those matters in public, but I do have respect for the litigants, these home buyers who are pleading their case now before the court, and the defendants in that matter as well, so I do not want to comment on those circumstances.

I just want to reiterate that if he cannot get beyond his political opportunism—and it is rampant over there in that party—that there are significant matters within the plan that have already been investigated. I want to tell him that the protections we have under the plan in this province are the best in Canada. If we find a defect, we will be here with legislation.

# LANDFILL SITE

Mr Cureatz: I have a question for the Premier. Constituents of mine in the town of Newcastle who refer to themselves as the Committee of Clarke Constituents have sent the Premier a three-page letter dated 15 March, signed by their

chairman, David Scott, expressing their concern about the possible infilling and expansion of the Laidlaw landfill site in the town of Newcastle; more particularly, just northwest of the village of Newtonville. I would like assurance from the Premier that he will be responding to the letter addressed to him within a short time.

Hon Mr Peterson: Indeed he is quite right; I did receive a letter, I think a week or so ago. It may well have been delivered by my friend opposite. It is rather complicated, so I am still looking into the matter. But I think he can tell his constituents that I am looking into the matter and I will respond as soon as I am fully apprised of the information.

Mr Cureatz: They specifically outlined the concern that they had requested environmental assessment procedures in terms of the evaluation of the infilling or expansion. It would appear that the Ministry of the Environment is pointing towards the shorter Environmental Protection Act. They conclude by asking for consideration of a moratorium so that all those involved would have ample time to make the necessary applications for possible intervener funding in all due course and with all consideration concerning this very important issue, so those constituents in the Clarke constituents' committee will have the opportunity of airing their concerns.

Would the Premier address those three areas in his response, please?

Hon Mr Peterson: Yes, indeed I will. I think the member can assure his constituents that the most rigorous environmental standards and processes will be applied to this matter.

1500

# MINIMUM WAGE

Mr Neumann: My question is for the Minister of Labour. Recently I had the opportunity to sit as a member of the standing committee on social development. We heard presentations from delegations, mainly on the subject of food banks. It was indicated, as a reminder to the committee, that an adequate minimum wage in this province was a complementary recommendation to the other social assistance reforms implemented by the government. Does the minister agree that the minimum wage at its current level is a disincentive for people moving from dependency to self-sufficiency?

Hon Mr Phillips: The subject of what is the appropriate minimum wage is an issue that is debated here often and that will, be debated once again later on this week. I meet with those same groups which are looking for a higher minimum wage and I recognize that they have some strong arguments to make.

The other side of the coin is that we look each year at how we ensure that there are job creations taking place in this province and how we ensure that in some of our industries we are competitive with surrounding jurisdictions. One industry in particular that is sensitive to this is the tourism industry. That is the other side of the coin, looking at our minimum wage versus other jurisdictions.

I might add that at \$5 an hour we are the highest in Canada, although tied with Quebec at the same minimum wage, and substantially higher than any of the jurisdictions in the United States around Ontario. We are trying to weigh those two things, what is the adequate level of minimum wage and how do we ensure that we do not jeopardize jobs in some of our sensitive industries.

Mr Neumann: I understand what the minister is saying with regard to the sensitivities to the small business community, I would point out to the minister that since 1975, despite a number of increases to the minimum wage, the minimum wage has lost in excess of 22 per cent of its purchasing power. In 1975 small businesses were surviving in Ontario. Would the minister not agree that it is time at least to make up for the loss in purchasing power of the minimum wage since 1975?

Hon Mr Phillips: I mentioned earlier that we do review it each year, and we will be reviewing the minimum wage this year. Normally it is changed on 1 October. One of the things we will consider is the very matter of how the minimum wage has kept pace with inflation. I might add that over the last four years it has gone up, I think, about 25 per cent, which has been able to keep pace with inflation. I recognize that versus 1975, that is not quite the case. We will look at that as we review it.

# ST ELIZABETH NURSING HOME

Mr Mackenzie: I have a question of the Minister of Health. On 5 August 1987 the Ministry of Health had no alternative but to take over the St Elizabeth Nursing Home in downtown Hamilton. Serious deficiencies in management, administration and care put the 175 residents at risk.

Successful bidders for the nursing home licence of St Elizabeth were clearly made aware of the fact that the employees were members of the Service Employees' International Union, Local 532, and had been recognized by the ministry as having successor rights following the ministry takeover when the collective agreement was honoured. But yesterday the Minister of Labour gave no guarantee that the union has successor rights.

Can the minister explain to this House and to the employees and residents of St Elizabeth Nursing Home why her government has not enforced successor rights for the employees with the successful bidders?

**Hon Mrs Caplan:** I believe this question should be answered by the Minister of Labour and I would refer it to him.

Hon Mr Phillips: As I responded yesterday, it is a matter that the union now has before the Ontario Labour Relations Board. As I mentioned in my response yesterday, the expectation is that this matter, now before the Ontario Labour Relations Board, is a matter that we should leave before the Ontario Labour Relations Board for it to make the determination.

Mr Mackenzie: I think the minister owes an explanation as to why the workers should have to go through this frustrating and unnecessary delay when his own ministry recognized their successor rights and when the administrator of the hospital, Emery S. Baldry, whom the minister appointed when the takeover took place, clearly stated in a letter, dated 25 May 1988, to residents and families: "Staff will also be relocated to the new homes. A similar process will be followed to assist in their transfers as well."

Why are these employees now faced with going through the procedures the minister is talking about when it is clearly their right to successor rights in the transfers to the new licences?

Hon Mr Phillips: If I might repeat the answer I just gave, that is a matter now before the Ontario Labour Relations Board. They will make their determination on it. I think they are in the process, if they have not already done so, of appointing a labour relations officer. As such, I think I should leave that matter with

he Ontario Labour Relations Board rather than trying to interere in its process.

# ASSISTANCE TO FARMERS

**Mr Villeneuve:** My question is to the Minister of Agriculure and Food. I want to advise the Attorney General that I am here, questioning and quite happy.

The Deputy Minister of Agriculture and Food recently announced some fairly major cutbacks in his ministry. They perain to the Ontario pork industry improvement program, the beginning farmer assistance program and the reduction, by half, of our agricultural engineers, very important people for our farming community. Can the minister tell us how much money ne will save by chopping these very popular programs and personnel, and will he channel those funds back into the ministry for some of his unfunded programs right now?

Hon Mr Ramsay: I am glad to have the opportunity to explain some of the efficiencies I am bringing to the Ministry of Agriculture and Food. As I am sure the member would agree, we think it is very important to make sure it is the clients we serve. I know many times the opposition criticizes the government for hiring too many civil servants. What we want to do is run a very efficient operation. We want to make sure our clients are served well. I just want to mention that when he talks about he ag engineers, only 27 per cent of their time was spent in lealing with clients directly. What we have done is redesign our ag engineering department to have 12 ag engineers throughout he province, covering all the different specialties that are required.

Mr Villeneuve: Farmers are expressing real concerns that ront-line staff are losing out to bureaucracy and head office personnel. I think that can be proven. The minister has an unprecedented two parliamentary assistants and has just taken on a new assistant deputy minister. Farmers are worried that soil conservation projects, such as the Ontario soil conservation and environmental protection assistance program, and land stewardship programs are not funded.

How prepared is the minister to hold the line on head office pureaucracy increases and provide continued funding for soil conservation projects, capital costs, interest rebate and farm tax reductions? I could go on and on. There has been \$100 million chopped from his ministry in the last three years.

Hon Mr Ramsay: I would like to clarify the record as far as the budget goes. As the member knows, we have substantially increased the budget, by 50 per cent, in fact, since this government took over. We are balanced now around \$500 million. When we took over, it was about \$285 million; so there has been a substantial increase.

I want to make sure that we have a good reorganization so hat we serve the clients well. I am very sensitive to the point he member makes about making sure we are not too heavy in bureaucracy, and that is the whole idea of this. I just say to the member that we are working very hard, and I hope soon to be able to talk to my honourable friend about some of the initiatives this ministry is going to bring in.

# 1510

# PRESCRIPTION DRUGS

Mr Owen: I have a question for the Minister of Health. As of January of this year, a drug which is new to use in Canada for treatment of those suffering from Parkinson's disease was

made available and approved. The drug is Deprenyl. I am told by patients who were using this drug before that it was half the price of what it became once it was approved in January; then it became a cost of \$2.41 per pill. Some of these patients who have spoken to me are of advanced years. Some are on fixed incomes. They are finding this a tremendous burden for them. Can the minister hold out any assistance to the cost of this medication to people who are suffering from Parkinson's disease in Ontario?

Hon Mrs Caplan: I know of the member's interest in the Ontario drug benefit plan. Also, I know he has had some inquiries from his constituents. It is the goal of the Ontario drug benefit program to provide drugs to people who are eligible under the program which will give them the very best therapeutic results. He knows, and members of the House should know, that the ministry relies on a panel of experts called the Drug Quality and Therapeutics Committee, which reviews submissions from manufacturers on any drugs that are to be included in the Drug Benefit Formulary.

It is my understanding that submissions have been made to the Drug Quality and Therapeutics Committee and that it is evaluating the submissions at this time. I know they must have all relevant data before they make their decision. I know the interest this matter has raised, not only in the area the member represents but in other parts of the province as well.

Mr Owen: I have been told that Deprenyl has been available in Europe for about two decades and that the cost of Deprenyl in Europe at this moment is about two to four cents per pill; remember, I stated it is about \$2.41 a pill in Ontario. Does the minister have any figures as to the cost of the drug in Europe compared to the cost of the drug here, and what would be the reason for this discrepancy in cost?

Hon Mrs Caplan: I think the member, as he raises the issue of cost, recognizes that we have a responsibility to ensure that all of our programs in the province are delivered in a fiscally responsible manner. At the present time the Ontario drug benefit program is costing the taxpayers of Ontario over \$600 million and this is rising at a rapid rate each year.

It is useful, I think, to examine the price of new drugs not only in Europe but also in the United States and other jurisdictions. I think price equalization may be one of the factors that are considered by the Drug Quality and Therapeutics Committee in its review of any new drugs.

I would say as well that we always look forward to and applaud the development of new drugs that will lead to the very best of therapeutic results and improve the health of the people of this province. It is important that these drugs be tested for their effectiveness. As I said, we rely on the Drug Quality and Therapeutics Committee to make those decisions on behalf of the Ministry of Health.

# TORONTO AREA TRANSPORTATION

Ms Bryden: I have a question for the Minister of Transportation, if he would return to his seat. Yesterday the minister finally dropped support for one of his ministry's most irresponsible transportation proposals, the construction of the east Metro transportation corridor through the Rouge Valley to link Highway 401 and Highway 407. This was to be a four- to eight-lane freeway to assist developers in exploiting the opportunities for high-priced housing development in the east Metro-Durham area.

I welcome the minister's change of heart following the Premier's announcement of a provincial park for the Rouge Valley, but is he prepared to allow adequate public consultation and a full environmental assessment on any alternative routes to be considered, so that the environmentally sensitive areas and the proposal for a wildlife preserve in the area will be protected?

Hon Mr Wrye: I of course welcome the support of my good friend the member for Beaches-Woodbine for the announcement that was made yesterday by the Premier and by my colleague the Minister of Natural Resources, which I think is one of the most significant announcements made in this province in many, many years and I am very proud to have been associated with it.

As the honourable member knows, we have protected two additional corridors, one in the Morningside Avenue area and the other in the Brock Road area. We are quite prepared, as I indicated yesterday in my statement, to subject those corridors to the fullest possible review. But I would not want my friend to believe for one minute that it is the view of this minister or of this government that roads in and of themselves provide the only solution. As indicated in my announcement yesterday, as part of that review we will be moving forward just as aggressively as possible on making rail transportation and indeed other modes of public transportation a very important part of the future for the northeast quadrant of Metropolitan Toronto.

Ms Bryden: In the minister's statement yesterday, he also stressed that he will be emphasizing and promoting greater use of public transit, but this appears to be a continuation of his bafflegab for the public because he has not named any projects that he intends to pursue in the way of new public transit.

I wonder if the minister is aware that the Toronto Transit Commission has recently raised its commuter parking lot rates in Metro by 75 per cent from \$2 to \$3.50 a day. What does he intend to do to offset this disincentive to the use of public transit as a result of the tax that the government has imposed on parking lots?

Hon Mr Wrye: I think the people of the greater Toronto area, of Metro Toronto and elsewhere, understand full well the outstanding leadership that this Premier, the Treasurer and the government have been providing in terms of public transit. I think they understand, as perhaps the honourable member does not, that we are putting nearly \$200 million into capital and operating support of the Toronto Transit Commission each and every year. I think they understand full well that we have plans for \$400 million in improvements over the next five years to the GO Transit system.

I think they understand, as I know that party never has, that the money must come from somewhere, and they are prepared to pay their fair share for the kind of outstanding improvements that we have on the books and that will be taking place in the next short while to the public transit system throughout the greater Toronto area.

# **PETITION**

# TEMAGAMI DISTRICT RESOURCES

**Mr D. R. Cooke:** I have a petition as a result of a meeting I had yesterday with a Temagami wilderness group. I will read it. It indicates:

"The Temagami wilderness is the site of the oldest and last remaining stand of original growth of red and white pines in Ontario and as such must be protected for future generations. The proposed destruction of this forest for the benefit of the logging companies will be a crime against the native inhabitants whose claim to the land has not yet been heard by the Suprema Court of Canada."

It is signed by some 92 people.

# INTRODUCTION OF BILL

# PLANNING AMENDMENT ACT, 1990

Mr Farnan moved first reading of Bill 117, An Act to amend the Planning Act, 1983.

Motion agreed to.

Mr Farnan: Basically the purpose of the bill is to ament subsection 51(1) of the Planning Act, 1983. As currently worded this provision prohibits the sale of land under an un registered plan of subdivision, but an exception is provided to permit the sale of land under a plan of subdivision that has received draft approval under section 50 of the act. The bil re-enacts subsection 51(1) to delete this exception.

# ORDERS OF THE DAY

# INTERIM SUPPLY (continued)

Resuming the adjourned debate on the motion for interin supply for the period 1 April 1990 to 30 June 1990.

1520

The Speaker: I believe the member for Markham is catching his breath and might have a few further comments to make.

Mr Cousens: I am really pleased to be able to be back here and to carry on some discussion about this, and if I were in better shape, I would not have to be out of breath.

Mr Callahan: You've got to stop smoking.

Mr Cousens: Yes, indeed.

I have just a couple of things to clean up from the com ments that were made yesterday. The first point has to be that when we were celebrating the decision by the Ontario government to proceed with the Rouge Valley as a provincial park everybody, it seems, was claiming victory. Certainly our part felt that we had a large part to play in it. The Scarborough members of the Legislature, who are mostly Liberal, were there saying, "We did it." We had the people from the cabinet, a large turnout at the Rouge yesterday, and they were all saying, "We did it." The New Democratic Party also was pleased to say, "We too have been yelling for this."

Everybody was saying, "We helped make it happen," and yet one person's name was not mentioned that should have been mentioned. I would like today to give credit to a person, a lady who has been fighting for this who was among those who wer first aware of the great need to preserve this national park Indeed, it happens to be the parliamentary secretary to the Secretary of State, a federal member of Parliament, Mrs Paulin Browes, the member for Scarborough Centre.

I would like to put on record the strong satisfaction I have of knowing her and of putting into the record the appreciation of so many people who know that it has been her initiative from the very beginning, fighting for this park. I say that here in the presence of this House, and I would hope that the Ontari-

government, when it is making its statements, would give credit where it is due.

Pauline Browes is certainly someone who has been there. The \$10 million that the federal government has allocated is argely because of her initiative. She was in there fighting for it and one of the reasons the federal government might hold back he money—I will bet, though I do not know this for sure—is 'auline Browes again, saying, "Hey, if they're going to put a 'arbage dump in there, hold back your spending." What a lady she is, and for us today to have a chance to recognize and appreciate her involvement is something that we should all do.

There is one other issue I would like to just touch upon and hat has to do with what has been an ongoing saga. The Ontario New Home Warranty Program, when it was initiated, was inteed one of the best. Yet today we had a demonstration of beople in front of our Legislature, a delegation that met with different members of this House. They met with the Minister for Consumer and Commercial Relations, the member for York Centre. They met with the New Democratic Party. I met with hem as well.

They are fighting for their rights. Here they are, people who have read an advertisement in the paper. Someone is advertising a house for sale, so they come along and put their money down with some expectation of being able to move in at a future late—all the things that are there. We as a government, this government, should be there to protect the small person. What has happened is that these people have no house. They do not even have hope for a house. The builder is coming along and is how not even making any guarantees or promises that he will ever complete them.

I have to say that there is a serious problem in protecting he interests of the people of this province if this government, with all its power and all its control, is not going to do somehing to protect the home buyer from those builders. I have to ay that there are not a lot of bad builders. Most of the builders, 00 per cent of them anyway, do an excellent job. They follow up with public service. They are genuine in their commitments. They are careful to follow the guidelines. They know that their eputation is important and they do everything they can to protect it.

Yet when you have someone, as in this instance, who tarted to sell those homes without the draft plan even being approved, then you are talking about a situation that is not only leplorable; it should be against the law. But it is not against the aw, because this government has never enacted the legislation I was fighting for five years ago when I was Housing critic. Why have they not? There has been enough time to do some of these great important jobs that this Peterson government was going to lo when it got elected, and it has not done them.

Now we end up having people in Richmond Hill, in the 'ery home riding of the Minister of Consumer and Commercial Relations, who are unable to gain satisfaction that there is going o be any action taken against this builder. Why? I cannot believe that a builder would be allowed to put those homes on he market for sale prematurely, without having any kind of 'ollow-through as it should be. Does the public know about his?

I am convinced that the general public act in good faith. When they go to buy a home they assume that the law has been lrafted to protect them and their interests. It is not, though, because here are 51 or 52 home buyers in Richmond Hill who bought these homes in good faith, put their money down. Now hey are finding that the land on which their homes were going to be built was not even owned by the builder. The draft plan

was not even in place and they do not even have the lots registered.

What in Sam Hill is going on in Richmond Hill when that kind of thing is allowed to go on? I have to say that the Minister of Consumer and Commercial Relations has had every opportunity to do something about it. He has met with the builder and the builder seems to be unwilling to do anything about it.

I commend that the people in Vaughan have seen fit to not allow him to continue to build in Vaughan because it was much the same circumstance coming along again. We should have some way of removing this builder's licence to build in the province of Ontario to protect the home buyer. Why have we not done something about it? I continue to worry about this government by virtue of the fact that it is not prepared to do anything about Crest Valley Homes. I would like to see the government challenged to respond to the needs of these people, and I just do not know what it is going to take to do it. It could be another election. I will tell the members that the 51 people in those homes will not be voting Liberal, because there is certainly no sense that this Liberal government has done anything or is going to do anything for them.

The fact is that the builder went ahead and sold these homes without the draft—

Mr Reycraft: How old is that legislation?

Mr D. S. Cooke: It was a Tory law.

The Deputy Speaker: Order, please.

**Mr Cousens:** There are members who are trying to speak out here, and when they have a chance to speak I will be sitting raptly in attention wondering what it is they are going to say, knowing that there will be sweet gems.

Mr D. S. Cooke: It was a Tory law.

The Deputy Speaker: Order, please. Everybody will have a chance, and would have a chance, one after the other, not at the same time. The member for Markham will continue and address uniquely the Speaker.

Mr Cousens: What we are really talking about are the concerns of these people have who have gone along and have read the ads, "Yonge and Elgin Mills, \$169,990." The ads are very, very easy to read and believe, and then when you have come along and bought your home, you really wonder why you do not get it. You bought it and you did not get it built.

Mr D. S. Cooke: Because it was a Tory law.

Mr Cousens: If the honourable member wants to say something, I would be pleased to allow him to make his comments. This government has come out and said that it was going to do certain things. They have made the promises, but they have not responded to the needs of the people of this province.

Mr D. S. Cooke: So you are both guilty.

Mr Cousens: I called for a review of the Ontario New Home Warranty Program. I am going to end up having a conversation with this member if he is going to continue to interrupt me, Mr Speaker. I have no choice but to speak to him if you are going to allow him to speak out. Are you going to tell him to be quiet? Speak up, speak out or get out.

**The Deputy Speaker:** Order, please. Only the member for Markham has the floor. The member for Markham, please, continue and address the Speaker.

**Mr Cousens:** One of my constituents—

Mr D. S. Cooke: Tell us why you oppose the Tory law.

**The Deputy Speaker:** Members, please respect the standing orders.

Mr Cousens: I think the point my constituents have made is:

"Until Crest Valley Homes and Theodore and Sheldon Libfeld honour their original purchase agreements with us, the Ontario New Home Warranty Program should not allow them to build anything anywhere in this province.

"This would send two very important messages. To the new home buyer, it would guarantee them that the new home they purchase will get built and give their badly shaken confidence in the government a tremendous boost. To the other builders in Ontario, it would clearly state that the practice of not honouring purchase agreements will absolutely not be tolerated. If potential new home buyers must wait for a change in legislation before they are fully protected and their confidence is restored, the home building industry could suffer irreparable damage."

#### 1530

I think the new home industry is suffering irreparable damage now in the fact that the government is allowing this one builder of great wealth and obviously great resources to continue to build homes and to still flagrantly disobey the guidelines that we have been calling for for changes in the Ontario New Home Warranty Program for some length of time. To have 50 shaken home buyers in a position where they will not get their homes is something that should be unacceptable to even the noisy New Democrats and to the complacent Liberal Party of Ontario.

If we could begin to have some consensus in this House on the fundamentals, then we would begin to protect the needs of the purchaser at all times. What I am seeing happen right here now is that there is not that sense of high regard for the rights and needs of others. That is what I am fighting for; that is what I have always fought for. I would say that we in this House should have that as a major responsibility for each one of us.

I challenge the government. As long as we continue to have the kind of situation we have now in Richmond Hill with Crest Valley Homes, we have a problem that is intolerable; it is unacceptable. I have brought forward in this House on numerous previous occasions the importance of the government changing the law so that this could not happen. Here it has happened again, and it will happen again and again until the government finally comes to terms with what the law should say.

I wanted to put that on the record, because today we had a large turnout of people from Richmond Hill coming down here to get an audience with members of the Legislature and to have their views heard. I commend my colleague the member for Cambridge, who raised a question in the Legislature on it today and made a statement on it. I am just really surprised to see that until some action is taken we are going to continue to see the same builder continue to do what he has been doing. It is just totally unacceptable.

As I closed off in the presentation yesterday I was really just trying to wrap up, but I did run out of time. I had been talking about the high cost of education and about the need for us in Ontario to come along with some long-term solutions that will begin to place education the way it should be. I was in the process of discussing some of the comments that had been made by the chairman of the York Region Roman Catholic Separate School Board in a letter to the Minister of Education. He made a number of proposals.

There were two proposals in his letter that I would like to put on the record, because I do believe that what he is really talking about is equality between both systems and equality of opportunity for the children who are going to the York region public and the York region Roman Catholic separate systems. He comes forward with two fundamental requests which will undoubtedly be discussed in the meeting that will be arranged between the separate board and the Minister of Education.

"The first proposal is that the government will provide approved costs which are reflective of actual costs incurred by the board. Examples include per-pupil grant ceilings and transportation approved costs. If provincial funds are limited, then the corresponding local share contribution can be increased. In this way the province can maintain the level of funding as desired while at the same time providing a more equitable distribution of funds."

What they are really saying is that the board is spending far in excess of the money that has been allocated by the province for education. One hundred per cent of all that money must come from the local ratepayers. It is becoming an extremely large burden to the local ratepayers to have to pay for all the education that in fact the province had originally committed to do. Especially when the Liberals were in opposition, they certainly said that the province should be paying 40 per cent of the costs. Now they are talking 16 or 17 per cent of the costs being paid by the province.

What is happening now is that the shift of the costs of education is going far more to the local ratepayers on their property taxes. That is going to force many people out of their homes. Seniors and others who are on fixed incomes will not be able to continue to pay the cost of taxes that this education system is going to demand from them.

So the point goes on. What this government should do point 2 in the proposal by Chairman Virgillio, is:

"Allow present unapproved costs, such as debenture and interest-carrying costs to be grantable. Boards like ours, with high debt load and interest-carrying costs, must be given financial relief. Assessment-rich boards have been able to fund capital expenditures through current operating funds, thereby minimizing future debt payments, and have also been able to build up reserves, thereby minimizing interest-carrying costs.

"Without addressing the above two proposals, the Ministry of Education will be ignoring its own basic principles of equality of educational opportunity and equalization of financial resources. Lack of attention to the two proposals will again force the York Region Roman Catholic Separate School Board into levying significant tax increases on its taxpayers with another projected deficit."

Last year that same board had to increase its educational taxes four times the rate of inflation and it may be forced to do so again. I share the board's concern. There really has to be some worry about being able to maintain the quality of education. It will continue to be in severe jeopardy unless some action is taken by this government.

So we are now faced with what is going to happen. I am concerned that we continue to put so much money into education and yet the results are not always there. Many of us will know that there are some students who are doing extremely well, and I think an awful lot has to do with the home and the background and the dedication of teachers within the system. But you can pour money into it and if you end up having the illiteracy level as we have it now; if you end up having the dropout rate so high; when you end up having the number of people who are not going into science and technology; when

you are not seeing that flow of young people into trades and apprenticeship programs, it really begins to tell me, especially when you have a shortage of trained people in key areas, that we are not doing it right.

I am going back to the first point that I began with in this address yesterday. If there is any resource that counts for the long-term benefit of our province, it is our young people. We must make sure that we make the investment in the future by providing them with the best of what they need in order to meet the future. When we look at the illiteracy rate we realize that according to a Southam study on this some time ago—it was a classic case—in fact now in Canada 24 per cent of adults are illiterate and 17 per cent of students graduating from high school are illiterate.

That is something we must fight and we have to fight it by concentrating on the basics in education. Let us not take for granted the important need for reading, writing, arthimetic and the other social skills that are a part of it. Physical health and education are also important, but have a rounded, full program. I am concerned that here we are continuing to put money into education. It should be our greatest investment per capita and on a percentage basis of the Ontario budget. We have seen the percentage of the Ontario budget decrease in the last 10 and 12 years from what it was in 1978. What we need to do is continue to have an emphasis on that so that our educational system is not something that is given second shrift.

I really do not think there is anyone in this province who does not put a high emphasis on education. What we really do need is to have an emphasis where we reward achievement in the school system, where there is a creation of an environment for the excellence that can take place in a classroom. We have to have incentives in place for excellence, assessment and innovation, which are essential to ensure our competitiveness in the global trading economy.

# 1540

I believe that education should become a major important issue in this Legislature. It is not something that we should just shove aside; it is something we should have a special study on to see what we can do to make sure the value is there at every level.

The province comes along and says, "We are going to make kindergarten compulsory all day, and then we have junior kindergarten." The Toronto papers yesterday were saying, "Why have it all day?" School boards are saying: "Why does the province mandate these programs? They do not pay for it; the local school board does."

What we need to do is begin with a system that has all the potential of being the best system in the world. If there is anything we want to have, we want to have a good health system. We want to have a quality education system. We want to protect the rights of people in their homes through the law that is in fact there to protect them at all times; we want to be able to have our rights protected. But we are not seeing that. There is a continuing erosion on these fundamental values that so many of us do not take for granted.

The government spends our money, as it will do as we give approval for the interim supply so that the bills can be paid. We want to protect the needs of all people but make sure we put the investment where it counts in certain key areas. One of those has to be education.

There are a number of other points I want to make on this. I just have to say the problem is not going to go away. We here in Ontario will continue to fight for those things we believe in.

Even though the government shows a callous disregard for these things by mandating programs that have not really been asked for or desired, what we are now really faced with is, come deal with the issue. We have a chance, even yet, to build on the system that has been there in the past, a quality education system in Ontario at every level.

What we are seeing is that we can continue to build on the public system. We can build on the community college system and the universities. Let us build ways so people can get into skills development apprenticeship training. Let us help those people who want to change professions or have to change professions so that we can get them ready to go back into industry and be productive again. Let us help those people who are over age 50 or 55 who lose a job and then decide, "What can I do to get back into the business force again?" Let us help them get trained. What can we do about those people who are illiterate, those people who really need to understand and use the language of today, so that they are able to receive the courses in English that can assist them to do that?

I happen to believe we are missing the challenge. This government has missed the challenge in the four years it has been in office. It still has an opportunity to do what is right and good for all people in this province. We will all be the beneficiaries when education is given the emphasis that it should be given.

I think there are others who would like to speak on this issue and other things that have to do with government spending. I hope there will be an opportunity for a more full and complete debate on the subject of education.

Mr D. S. Cooke: Very briefly, I generally agree with a few of the comments the member has made over the past two days, but I did think it was worth raising and I would like to have a response from the member. We in this caucus, and the member for Cambridge, are very concerned about home buyers who in all good conscience buy a home, make an offer, put their money down and then, when it comes time to occupy the home, find they cannot because the legislation protecting consumers is so weak in this province. I guess what I was trying to get from the member is an understanding of when that legislation was passed, who the minister was at the time and which party was in power when that legislation was brought in.

I have been a member for 13 years and my recollection is that the legislation was brought in by the former Tory government and it was not particularly interested in supporting and protecting home purchasers any more than the current government is, because my understanding and clear recollection is that they both have very close relationships with the developers of this province and therefore they both have more concern for the developers and home builders in this province than they do for the consumers.

For a Conservative member to be criticizing a Liberal member for lack of protection of home buyers, I think is rather difficult to swallow, just as it would be equally difficult to swallow if the Liberals were criticizing the Tories.

The only party that is not in the pockets of the developers of this province is the New Democratic Party, because we do not take money from the developers of this province during elections. We do not take donations or what some would call—no, I cannot use that word here; I can use it outside. We do not take donations and therefore we are not beholden to the developers. We do not owe anything to the developers like they do.

Mr Cousens: That is the problem with the New Democrats. They like to generalize, and they will say that all

builders are bad. What a crock that is. They really do not begin to understand that they have done more to help build this province. They make an investment in the province. They have helped build homes. They are more responsible than he is with his statements, which really do not begin to understand just how much it takes to work together. It takes all levels to be involved in making a strong province and I think the building industry and the home building industry for the large part have done that.

To go back another step, it was the Ontario Progressive Conservative government of years ago that brought in the Ontario New Home Warranty Program, which was the first of its kind in North America. It began to establish some ground rules that would protect the new home buyer. No one else has ever accomplished what we did in the establishment of the Ontario New Home Warranty Program and it has done a great deal to protect those people.

I, in my capacity as Housing critic and in my capacity as a member of the Legislature and serving the people of the riding of Markham, then York Centre, came forward with a series of proposals that asked for changes in the guidelines of the Ontario New Home Warranty Program. It is an evolution thing. Is it ever perfect? No. But at least my suggestions, then and now, are still valid: we have to protect the new home buyer and make sure that no one is going to be allowed to sell homes unless the lots are registered in the first place.

That was a problem then. It is a problem today. There are other problems with the Ontario New Home Warranty Program: leaks in the basement; getting the repairs done; making sure that the service is followed up; the definition of guidelines. These are issues that continue. The fact is, we began with something and I think it is something that can be built upon.

The member for Windsor-Riverside is great to throw out the baby with the bath water. I see that right now the government has a chance to do something about the people who have bought homes from Sheldon Libfeld. Why do we not do something about them and about Crest Valley Homes? That is an issue and that continues to be an issue. The fact that they make light of it really shows a tremendous disregard for the people in Richmond Hill.

Mr D. S. Cooke: I am pleased to be able to join this debate. I would like to say to the member for Markham that I am not interested in throwing the baby out with the bath water. I am interested in throwing the Liberals out and the Tories out at the same time, because we know that when it comes to the developers of this province they are both in the pockets of the developers, and if consumers want protection in this province, the only way they are going to get that protection is with a political party that is interested in ordinary people and consumers of this province.

We do not take donations from the developers of this province. We are not beholden to those people. After we are elected as a government, we would not owe them favours like the Conservatives and the Liberals do. If anything brought that home it was the Patti Starr affair, which involved both Liberals and Conservatives right across this province, because Patti Starr and the developers of this province are always looking for politicians to rent, four years at a time. They have them under lease now. If these guys ever formed a government, they would have them under lease. Perhaps what they are looking for is a long-term contract that involves both the parties. We are not for sale.

Mr Cousens: Oh, you are for sale.

**Mr Pelissero:** Nobody is buying. You have got to have a product that is saleable.

The Acting Speaker (Mr Cureatz): The honourable House leader for the official opposition is a tinch provocative.

1550

Mr D. S. Cooke: A politician who speaks the truth is always confrontational, and if the truth hurts the member for Markham and all the Liberals on that side, so be it, but the people and the home buyers of this province know who are willing to protect the people of this province, and it is not the political parties that take donations from large developers, and that is what both of them do.

Mr Ballinger: Where do you get your money, David?

Mr D. S. Cooke: Where do I get my money? I get my money \$100 at a time from people in my riding who are willing to donate. Then during the election, I go and borrow money from the bank, which we pay back over the next term as we raise money at socials, dinners and garage sales. That is how we get our money.

Mr Ballinger: How many unions contribute to your campaign?

The Acting Speaker: All right. Now it is not the House leader's problem; it is other honourable members who are trying to incite inflammatory statements. I would just ask all the members—it being early in the week yet, it is going to be another too long, I am sure, wonderful, interesting day—let us continue with this debate, please.

Mr Cousens: He is so self-righteous, Mr Speaker. Don't have him get away with this stuff.

Mr D. S. Cooke: Oh, boy, you can always tell with these guys when you are talking the truth, because they get really upset. I can understand why the member for Markham is having a difficult time on top. He gets so upset when the truth is spoken that the hair just falls out. However, that is not the major point that I wanted to make.

Mr Cousens: What about your hairline, David?

Mr D. S. Cooke: Yes, my hair is falling out too. He is right, but it is not because I get upset by anything he has to say.

Mr Cousens: That's what you say.

Mr D. S. Cooke: It is because I get upset at how my constituents, for years—42 years under his party and now five years under this party—do not get protected, whether they are home buyers or whether they are people who want to get car insurance. They do not get protected, and that gets me upset, and that is why I am getting thin on top.

We have talked a bit about how the home builders of this province have had the current Liberal government under rent, and before that they had rented the Conservative Party. The same discussion could take place, and has taken place, with my colleague the member for Welland-Thorold leading the fight, on how the insurance companies have rented the Liberal Party and that is why we are getting the lack of protection for people who need to buy car insurance across this province. The statistics show very clearly the insurance companies in this province gave thousands upon thousands of dollars to the Liberal Party but the thing is, they are getting repaid with taxpayers' money. Hundreds of thousands of dollars, hundreds of millions of dol-

lars are being transferred from the taxpayers to the insurance

companies of this province.

I think the facts are clear that the people of this province are getting very upset, the shine has come off the Liberal government and this party wants to go to the people as soon as the Liberal Party wants to call an election. We know that the outcome is going to be considerable decrease in support for the Liberal Party because the people know they have not been protected and there is no leadership being shown in this province.

Mr Ballinger: See you in September.

Mr D. S. Cooke: Well, if it is September, I am ready. My signs are ready now. If the government calls the election this afternoon, I will have 500 signs up this afternoon.

**Mr Laughren:** You have to get nominated first.

Mr D. S. Cooke: Yes, I do have to get nominated before I can put my signs up—not in my riding association.

I want to talk about a few problems that we are experiencing down our way, and since this is the first opportunity to have that discussion, I will just take a few moments.

I do want to indicate to the parliamentary assistant that we are not attempting here, as was reported through the press, through a good debate on supply to hold up their crummy insurance legislation. We are not interested in hurting people on social assistance or any other government benefit program, and I thought it was rather unfair that the Treasurer would go to the press and make those kinds of statements yesterday afternoon when he did. It was a cheap shot—

Mr Laughren: Dishonest.

Mr D. S. Cooke: —dishonest, and if the government thinks it is going to be able to bring in motions for supply to spend \$7 billion all the time and not have the opposition parties say anything—

Mr Reycraft: It was \$8.4 billion.

Mr D. S. Cooke: Okay, the press was wrong, \$8.4 billion. The House has not been in session for three months and we are not allowed to get a few things on the record. I think that is terribly unfair and certainly shows that perhaps it is time for the Treasurer to move on to Hydro if he does not like the process in this place, of democracy and input from members of the opposition and members representing individual constituencies.

I do want to talk about the economic situation in my home community. I am happy the member for Middlesex is here, because one of the legitimate gripes that people have in my community is the fact that we do not have our fair share of provincial civil service jobs. At the same time, a city up the street, London, has more than its fair share. When you compare the two cities again, London has had consistently over the last year the lowest unemployment rate of any urban area in all of Canada, whereas in Windsor the unemployment rate has consistently in the last six months equalled that of St John's, Newfoundland, anywhere from 10 to 13 per cent.

We know that when there is an economic downturn, the auto industry gets hit very hard, very early. With interest rates at 17 and 17.5 per cent for consumer loans, people are not buying cars to the same extent they did before. Our auto parts sector in Windsor is being hit and it is being hit hard. Temporary layoffs are taking place in the manufacturing sector with the auto assemblers, and permanent plant closures and layoffs are taking place in the auto parts sector. At this point, with still an

economy overall in Ontario that is relatively good, my community has an unemployment rate of 10 to 13 per cent. I think it is incumbent on this government to look at the inequities and the unfairness of the distribution of public service jobs in our region.

It is understandable, over the 42 years that the Conservatives were in power, that we did not get our fair share of civil service jobs. Ontario stopped at London, because that is where Premier Robarts and a whole bunch of other people came from, and we have not elected Conservative members consistently in

our community for a long, long time.

So we were penalized by the Conservative Party, and there were a lot of people in my community who thought that when the Liberals were elected provincially, that unfairness would be addressed. It has not been addressed at all. In fact, when the Premier was asked about this a few months ago, he made some silly comment to the local reporter, saying, "Well, Windsor wants civil service jobs; so does Wiarton." That is hardly a comparison between a major urban area which is so dependent on one industry and a small community, not too far from London again. Of course, the world revolves around London.

Mr Reycraft: A long way up; Windsor is closer to my riding.

**Mr D. S. Cooke:** Is it not Grey-Bruce area up that way? It is not too far. They watch the same TV stations.

Mr Laughren: Picky, picky.

Mr D. S. Cooke: Yes, picky, picky. In any case, there is a real unfairness and I want to read some of the statistics to prove my case. In Barrie, for example, there are 1,000 provincial civil service jobs; Belleville, 622; Brampton, 1,563; Brockville, 1,186; Guelph, 1,000; Hamilton, 2,200; Kingston, 3,000; London, 3,679 provincial civil service jobs, and that does not include the county of Elgin, not too far from there, which has an additional 1,083 provincial civil service jobs.

When you look at the two-county combination, you have a total of nearly 5,000 provincial civil service jobs, when my entire county of Essex has a very small number, 885 civil service jobs. There has been a real effort by our local government to plan, to look at and to attempt to diversify our community. In many respects, Windsor's dependence on one industry is not unlike some of the northern communities that are dependent on the resource sector. They are mining, one-industry communities as well. We have the same difficulty that some of the northern communities have.

Mr Reycraft: We have helped some of the northern communities too.

Mr D. S. Cooke: Yes, you have helped some of the northern communities, but there is not a recognition that even in southern Ontario we have not all benefited to the same extent as Metropolitan Toronto, the Niagara Peninsula and some of the other areas of southern Ontario.

# 1600

Instead, when programs are changed—even the subsidy to students for summer jobs. That program was not eliminated for selected areas of southern Ontario; it was eliminated for all of southern Ontario. Eastern Ontario, I believe, and northern Ontario were allowed to continue in the program, but because Windsor is in southern Ontario, we were lumped in with the same policy decision, even though our unemployment rate is the highest in the province. We have a higher unemployment

rate than most communities in northern Ontario. Certainly we have a higher unemployment rate than any of the communities that are listed by the Statscan figures on a monthly basis.

We, as I say, are tied with St John's, Newfoundland, not something that we are particularly proud of, but we need the assistance of this government if we are to avoid the kind of deep recession and hardship that we went through in the late 1970s and the early 1980s.

It cannot be described as anything other than a depression that occurred in our community in the late 1970s and early 1980s. In 1978 and 1979 we had already started the downturn in our community; the rest of the province was still prospering. Windsor was suffering from plant closures and a high unemployment rate even in the late 1970s. By the time we got into the recession that the entire province and country were experiencing, Windsor had an unemployment rate of over 20 per cent.

I had literally hundreds of people in my riding who lost their homes. Families broke up. There was a large number of suicides in our community. It was just a very tragic circumstance that our community was living in. And now that our unemployment rate is creeping up again, along with interest rates creeping up, and mortgage rates, there is a real fear that we are going to get into the same circumstance. It is not pleasant for any of us who are leaders in our community. It is obviously a tragedy for the families that experience this.

I hope that when the provincial government brings down its budget in early May it will address this issue and look at the single-industry communities in southern Ontario and not lump us all in with Metropolitan Toronto and assume that just because Metro Toronto is experiencing prosperity for some people, the rest of southern Ontario is experiencing the same kind of growth and prosperity. It just is not happening and it shows a complete lack of knowledge of what is happening in southern Ontario. Even in Toronto there is a real difference between how some people are experiencing the economic boom of the last number of years and other people.

We all walk back to our apartments after the Legislature adjourns and we see the difficulty that people are having. I do not have the statistics in front of me, but I used them yesterday in members' statements. I believe there are 17,000 people in Metro Toronto on the waiting list for Metro Toronto assisted housing. The estimate is that between 10,000 and 20,000 people are homeless and are sleeping in the streets or in the hostels in this community.

I invite some of the members in this Legislature to go and look at some of the facilities that we seem to be saying, as a government or as a Legislature, are acceptable for people to live in, whether it be the streets or whether it be these hostels, which are completely unacceptable. None of the members' family members and themselves would ever tolerate living in the kinds of circumstances that some of the 10,000 to 20,000 people in this community in Toronto live in.

When the member for Nickel Belt and I took a little tour of some of the areas in Toronto, we dropped into some of the dropin centres. I think we all have, especially those of us from outside of Toronto, the impression that homeless people are adults. We have the impression that the homeless people in this community are people who have a whole bunch of other problems. It may be alcohol problems and all these other misconceptions that are simply not true. We saw mothers, fathers and their children in the dropin centres during the day, and at night they were either in the hostels or they were sleeping in the streets.

If we are one of the wealthiest jurisdictions in the western world, if we are supposed to be developing a world-class city, I do not think there can be any description of Toronto as being world-class as long as 10,000 to 20,000 men, women and children are sleeping on the streets and in hostels in this community of Toronto.

I am absolutely flabbergasted when the Rupert Hotel rooming house fire occurred here in Toronto on 23 December, 1 believe it was—the Legislature was not in session. I can tell members that if 10 middle-class or upper-class people in the city of Toronto had died in a fire, there would have been statements from the Premier, there would have been statements from the Minister of Housing or whoever the appropriate minister would be, recognizing that tragedy and announcing inquiries tc make sure that a tragic fire like that never occurred again. But because it happened in a rooming house, because it happened to people who are alienated from our community and not wealthy or who do not have the kind of stakeholding in this province that other people have, there is not a mention from the Premier or the Minister of Housing. I think that says a lot about this government and perhaps about this system that we live in in Toronto and in Ontario.

I want to just address a couple of other issues that are very important to people in my community, and they are both health care issues. In 1970, the then Conservative government promised the community of Windsor that we would be getting a new chronic care hospital. That was back in 1970, and architects were hired. Then in the early 1970s the Davis government said: "No, we do not have enough money. We are in the process of restraint so there is no go-ahead."

Then in the mid-1970s Frank Miller travelled the province and tried to close a whole bunch of community hospitals, and one of the hospitals he was trying to close was the existing chronic care hospital in Windsor, which is 70 years old. It used to be a school and, quite frankly, the physical setting is unfit to be called a hospital. The staff do their best with the chronic patients in the hospital, but it is an impossible situation. They tried to close the hospital, along with a whole bunch of other community hospitals across the province, and in each instance including this hospital, the government was unsuccessful.

So the result was that after a consultant's report was completed, the recommendation was that a new chronic care hospital should be built. Obviously, it was not at the top of the priority list for the Conservative government when there had not been representation from a Conservative since the early 1960s in Windsor. None the less, over the years we wenthrough the process, and in 1985 the then Minister of Health Keith Norton, indicated that the hospital was going to be a go.

Then the election was called. I remember sitting in a debate at the TV studio. I was debating the member for Windsor-Sandwich, and the Conservative representative was the candidate from Windsor-Walkerville, Jane Boyd. Jane Boyd attacked us saying that we had not delivered a hospital as incumbent members. So we were rather defensive, to say the least, but restrained. The member for Windsor-Sandwich promised on TV—and it is on tape; it has been shown several times and I can guarantee it will make a beautiful TV ad—tha if the Liberal Party formed a government, the sod would be turned for the new hospital before the end of the calendar year.

That election was in May 1985. I assume the end of the calendar year was December 1985.

Mr Ballinger: That was the surprise.

**Mr D. S. Cooke:** Yes, I guess a year now has 48 or 62 months or whatever the total is, but the fact of the matter is we still do not have the hospital.

The Minister of Health at the time—after the 1985 election, the member for Bruce—is in the House today. He must be incredibly embarrassed, and if he is not, he should be, because after the 1985 election there was a lot of work done. We worked in a nonpartisan way. We worked with the unions in the hospital, the board, the labour community, to get the whole thing back on track. We got things back on track and the member came down to Windsor.

Hon Mr Elston: Another fairy tale.

Mr D. S. Cooke: It is not a fairy tale. I was at the meetings with the member for Windsor-Sandwich where we pulled the labour community and the hospital board together. We finally got in a position where the then Minister of Health flew to Windsor. He came in, he brought staff in and people from the community and the press, and he got up on the stage and said: "It is a go. The hospital is approved by the provincial government. You raise your money locally and there is \$22 million waiting for you from the provincial government."

#### 1610

So we went out and raised the money. We raised \$11 million. I think it is now closer to \$13 million. We raised the money and we said, "Now we are in a position to build that hospital." What happened? Now there is a freeze put on the hospital. However, in the interim—I am sorry, a very important date passed, because that was in the fall of 1986, and in the spring of 1987 there was a provincial election.

Now what was the focus of the member for Windsor-Sandwich's campaign for re-election and the member for Windsor-Walkerville's campaign to get elected? The Liberals delivered the hospital. "It has been approved and we are going to get the chronic care hospital after 15 years. Bill Wrye is on your side. You are going to get the chronic care hospital."

Then what happened after the election? It is all frozen. There is no hospital. It is not going to be approved because there is a new philosophy and it is okay for people in our community to stay in a 70-year-old school that has been converted to a chronic care hospital.

Mr Wildman: You missed the point. If they built the hospital, they wouldn't be able to promise it again next election.

Mr D. S. Cooke: Exactly. That is certainly the point.

But it is no wonder that the people in my community are cynical and it is no wonder that the Liberals are going to get a warm Windsor welcome this weekend on Saturday, because there are so many groups that are upset with their government because it did not tell the truth. They did not tell the truth. They promised a hospital, and then they did not deliver. They promised something for votes, they got the votes and they have not kept their side of the bargain. It is no wonder that the people in our community are cynical about the Liberal Party in Ontario and the Peterson government.

Hon Mr Wrye: Just you.

Mr D. S. Cooke: Just me? We will see, my friend.

The member does not have his 15 years in it so he does not have cash for life, but he is going to need something after the next election because he will not be returning. I will be. I will have more credibility on this issue than he ever will because of

what he has done to the people in our community, and he knows that. His party has been doing polling just like ours. He is out of sight in Windsor because no one trusts him any longer. That is a fact. They should not trust him because he said one thing and he did another.

But I think the implications of what the government does, besides the health care implication, the difficulty is that it is no wonder people are cynical about political parties and governments. They used to believe what people said. They used to believe when politicians promised a hospital and said, "Go raise 11 million bucks," but now they do not believe anything they say.

The next step is even going to add to the people of my community being cynical, because what is going to be approved some time over the next few weeks is going to be called phase I of the new Windsor chronic care hospital. What is phase 1? Phase 1 of the hospital is going to be from the existing general hospital a walkway to nowhere. There is no hospital and they are going to start the walkway. Why are they going to start the walkway? Because there might be a fall election and both the member for Windsor-Sandwich and the member for Windsor-Walkerville want to be able to say: "See. There is something under construction. I have kept my end of the bargain."

Hon Mr Wrye: Only you could be that cynical.

Mr D. S. Cooke: Only me and a whole bunch of other people in the community, including our local newspaper, which I believe at one point endorsed the Liberal Party but has come to its senses too.

It is very sad, and the real sad thing is that the chronic patients who need access to a chronic care hospital and the people who need access to a decent day hospital and outpatient services so that they do not have to go into an institution do not have those services in Windsor. As a result, we have one of the highest lengths of stay in chronic beds of any community in the province, because we do not have the outpatient services.

This government says that it is more interested in home care, and we agree with that. Home care alternatives are absolutely essential. But what did this government do after it came to power? It froze the expansion of the integrated homemaker program so that Toronto does not have integrated homemakers. Windsor does not have an integrated homemaker program, so there are no home care alternatives for the chronically ill in my community. There is only a 70-year-old school that has been converted to a chronic care hospital, and it is absolutely disgusting.

The final health care issue that I would like to refer to which has my community in great upset and a sense of mourning is the lack of access to decent cardiac care programs in the province. It is true that there is no waiting list any longer in Windsor for cardiac care. Sorry, the list is three, from what I have been told by the doctors in our community. That is because over 120 people have gone to Detroit to get the service since an arrangement was made last fall.

Some people would say: "That's fine. They got the service." But let's look at the cost to the taxpayers of this province. The estimate is that \$7 million to \$8 million of taxpayers' money has gone into Detroit hospitals because we have not offered decent service here in Ontario. That is \$7 million; for another \$3 million, we would have been able to buy all the equipment to have a cardiac surgical unit in Windsor.

For those people who say we cannot afford it, I just ask the question, where is the efficiency and where is the well-planned health care system that the Minister of Health refers to all the

time in this Legislature? If it is well planned, if it is efficient and if it is economical, why are 120 people having to go to Detroit for health care for cardiac surgery? Why are we spending \$7 million in Detroit when that money could be invested in Ontario where, if that had happened, we would have had better services and the money would have stayed here in our own province?

I am still disappointed by the fact that a 23-month-old child died because he was not able to access cardiac surgery here in Ontario. In my community I have never seen such a response from the people who called my office and the people who were at candlelight vigils mourning the death of this child. What did we get from the Minister of Health?

The day that it happened she made some statement that there would be an investigation carried out by the Sick Children's Hospital, there would be an investigation carried out by the Ministry of Health, the coroner would investigate, and when the information was available, she would make a public statement. Nothing. She took off the next day on her three-week vacation to India. When she came back, no explanation, nothing. That only serves to further undermine the shaky confidence the people in this province have in our health care system in Ontario.

I think that this issue has to be addressed. It is impossible to believe that our system should force people to wait four, five or six months for needed surgery.

One of the other interesting things in the Joel Bondy case is that the day he was finally scheduled for surgery, it was cancelled again. It was cancelled again, as we found out later, because the Sick Children's Hospital decided it would do a heart transplant on another child. The interesting thing about that is that the Sick Kids' Hospital in Toronto is not authorized to do transplants. It is an unfunded program, and they are not authorized to do it.

I think that that points again to the serious difficulties we have in our health care system, where hospitals do not work together and that provides inefficiency, where doctors do not work together and that provides inefficiency. The result is that the patients in this province who need to access decent, good health care are not able to get it when they need it. The minister constantly refers to these problems, but she does nothing to the structure to change it.

One other area we feel very strongly about is that health service organizations and community health centres are a good, effective and efficient way of delivering health care in the province. We had one community health centre in the west end of Windsor, which the member for Windsor-Sandwich is very aware of, and you would think if it were the government's policy to promote community health centres, it could be done a little more quickly than seven years from the time the proposal went in to the time that it came out of that huge bureaucracy in the Ministry of Health.

You would think that they would be excited by the fact that the Windsor and District Labour Council has put a proposal in for a health service organization based on a model that exists in Sault Ste Marie, which has been so successful and, from the reports and studies that have been done on it, has clearly resulted in a 25 per cent decrease in the number of people being institutionalized.

The focus of a health service organization is prevention. The focus of a fee-for-service system, which most of us rely on, is to get in to the doctor as often as possible, come back and get more tests and all of that. It generates cash for the system,

whereas in a health service organization the motivation is completely different.

We have put in a proposal and we have been stalled. We cannot even get the money from the provincial government to carry out the necessary studies to show the interest and the type of HSO and the shape it should take. The Premier made a big deal when the study came out from the Premier's Council on Health Strategy that it was going to move significantly in this direction. I think they had a \$100-million pot that was going to promote community health centres and health service organizations.

My understanding is that something like \$5 million of that has been spent—the announcement was two years ago—and we cannot even get \$50,000 to do the necessary studies to pull together all the statistics to show the need and the effectiveness and efficiency that a health service organization would result in in our community.

#### 1620

I think it is appropriate that we are cynical when the Minister of Health gets up and makes announcements, because her announcements are meaningless. She has now announced on cardiac care and the increased number of surgeries that were going to take place at Victoria Hospital in London and University Hospital. She has made that announcement five times in the last two years, starting in June 1988 when she made the original announcement to last week when she made the announcement again, or a week ago last Friday.

Nobody believes her. I do not believe her and the people in my community do not believe her, because she has made the announcement so many times and it has never been implemented. Why has it not been implemented? You cannot increase the amount of cardiac surgery when you have an acute shortage of critical care nurses in the province. The minister can promise that she is going to spend money and increase the capacity for the surgery all she wants, and it grabs her a headline in the Toronto Star and elsewhere, but it is meaningless. She cannot deliver on the promise because there are not the nurses to take the care of the patients after the surgery.

So it is deliberately misleading the people of this community and of this province—the policy is. I would never accuse a minister of deliberately misleading, but the policy is deliberately misleading the people of this province.

When you announce something five or six or seven times, as this government does, it gives people the impression that you are on top of it. That is the bottom line of what this government is all about. They do not want to resolve problems; they want to give people the impression that they are on top of those problems. So there are lots of political strategies, but there is very little in the way of a strategy to come to grips with the problems. Whether it be economic problems or whether it be health care problems, the same thing applies. It is all a political game for this government. It is all a game of trying to convince people that they are dealing with the issue and they are not. It is all public relations and it is nothing of substance.

In the end, that will be the downfall of this government, because the people of this province, the voters of this province, are not stupid. They see through this government, the shine is off the government, and we in this party look forward to going on the campaign trail and fighting—

Mr Kerrio: I don't believe that.

Mr D. S. Cooke: Well, just wait. This is going to be 1985 all over again. Those guys have managed to become as com-

placent and arrogant as the Tories did after 42 years, and they have done it in five years. The people of this province will make them pay the price. In my community right now there is one New Democrat out of five seats. I guarantee in the next election we will hold all three Windsor seats and we will hold the Essex-Kent riding as well, because the people of my community are fed up with the lies they are getting from the Liberal government.

Mr Ballinger: Mr Speaker, I think you were correct in your assumption that the member for Windsor-Riverside was being just a tad provocative in here today. I want to respond, as a proud Liberal member for the riding of Durham-York, that I do not mind sitting in here and listening to the opposition. I understand their role. Our role is to propose and their role is to oppose.

But quite frankly, for the member for the riding of Windsor-Riverside to stand up and try to convince the people on this side and the people in the gallery and the people at home: "Me, look at me, I'm NDP. I don't take any money from home builders. I don't take any money from developers. I wouldn't even think about taking money from insurance agents or insurance companies. I'm in nobody's pocket. Nobody rents me. Nobody rents the member for Windsor-Riverside."

I want to say that is the biggest joke I have heard in this Legislature in the two and a half years I have been here. If there is any one party that is in somebody's pocket, it is his party. Any time I see any union or any labour group sitting up there, what do I see? He wants to talk about trained seals. They are all a bunch of trained seals over there. They cannot jump up and down quickly enough to support whatever union wants with any specific policy. For the member for Windsor-Riverside to accuse us, as Liberals, of being insensitive to the people of Ontario is another big joke. He cannot stand over there and tell me that the people in Ontario are not better cared for in 1990 than they were pre-1985.

My closing comment is, if the member is so frustrated in his riding and his constituents are so frustrated, then I think he should do the honourable thing and resign.

Mr Laughren: Speaking of members who are a tad provocative, the member from Durham-York provoked me, because I certainly had no intention of getting involved in this debate.

I wanted to rise in my place to endorse everything the member for Windsor-Riverside said and to just reinforce this party's commitment to working men and women all across this province. If there is one thing I am the proudest of in representing my party, New Democrats all across this province, it is our affiliation with labour in this province. I can think of nothing that gives me greater pride than to have a very close working relationship with working men and women all across Ontario.

I want to tell members something. We just went through an exercise called Bill 208, public hearings on Bill 208, and all of us saw what happened. A particular version of Bill 208, An Act to amend the Occupational Health and Safety Act and the Workers' Compensation Act, was proposed by a minister of the crown. Another minister of the crown, representing industry and trade, the Minister of Industry, Trade and Technology, objected to that because he said, "My friends the Liberal friends in the business sector don't like this bill."

So what happened? The Premier yanks that minister, casts him aside, puts in a new minister who brings in a new bill that satisfies the demands of industry in the province of Ontario.

Who was left then to defend working men and women who put their lives on the line every day on the job other than the New Democratic Party? The Liberal Party sold it out, plain and simple, to the industrial interests in the province of Ontario.

Hon Mr Wrye: I rise just to make a couple of comments on the comments of my friend the member for Windsor-Riverside. I want to put on the record very, very clearly that this government has been moving forward for the last nearly five years in terms of its commitment to the community I am proud to represent—and I had assumed, until I heard the bleating and the whining and the complaining of the member for Windsor-Riverside, that he was proud to represent it too. It is a community that is moving forward into the 1990s with a vision of the kind of community that we can be, rather than the kind of negative carping that has so featured in the career of the member for Windsor-Riverside.

I can say to my friend the member for Windsor-Riverside, whenever the Premier decides, this year, next year or any other time, that we will have an election campaign, I will let the people decide who will win in the ridings of Windsor-Sandwich, Windsor-Walkerville, Windsor-Riverside, Essex-Kent and Essex South and not, as does the arrogant member for Windsor-Riverside, simply declare the election over before it begins.

We are moving forward in terms of the hospital. The member calls it the walkway to nowhere. It will be a walkway to an empty spot until it is filled by a hospital. But surely that member knows that the hospital functional program is coming forward; surely that member knows that the long-term care committee will meet two minutes from now to discuss the report on the recommended number of beds; surely that member knows that the site preparation work is under way, and surely that member forgot, as he often does, to acknowledge that we are making progress with the hospital and that very, very soon we will have those people into a brand-new, state-of-the-art facility in Windsor.

#### 1630

Mr Kormos: I really was going to let the comments of my good friend the member for Windsor-Riverside stand on their own, and indeed they do stand on their own. But I have got to tell the members this: I listen to the members from the other side of this House, the Liberal members, as they are now sitting there like illustrations from a Kurt Vonnegut Jr novel—now, that is a little bit of trivia because there is only one illustration that has ever been in a Kurt Vonnegut Jr novel; I leave it for members to find out what it is—talking about whose hand is in whose pocket.

Come on now. We are looking at a party and a government that have got an incredible legacy. How much? It was \$100,000 and change from the auto insurance industry in the last general election. And who are they selling out the drivers and victims of Ontario for? They are selling them out for that mere \$100,000 and change. We are talking about a party of Patti Starr, a party that was not ashamed to take the money. There were no concerns about the fact that they took the money, because there were piles of them who had their hands outstretched ready to cash those cheques, deposit them and spend those bucks. The only thing that upset them is they got caught.

So we are talking about a party that is not afraid to take money; it is a party that, rightly so, is afraid to get caught. As well, it is a party of broken promises. The problem I have is that I can call them broken promises, and I am prepared to be somewhat charitable in that regard, but I tell members that people in Welland, people in Thorold, people across Ontario are saying they are lies. They are saying that when the Premier of Ontario said he had a specific plan to reduce auto insurance premiums, he lied, lied like a rug, lied purposely, lied to win an election.

We are talking about a party that will take funds from Patti Starr; we are talking about a party that will lie as well to win elections.

An hon member: Rule him out.

The Acting Speaker: Order. The honourable member for Welland-Thorold is so close to bordering on making life so difficult for me.

Mr Kormos: Interesting, Mr Speaker. You call it difficult; I call it interesting.

The Acting Speaker: I think in your last few comments you were almost bordering on indicating—do I have a comment from the honourable member for Welland-Thorold?

Mr Kormos: Was it the Kurt Vonnegut Jr novel that upset you?

The Acting Speaker: It was referring to the Premier as being a liar.

Mr Kormos: I have never said that, that I can recall. But I am telling you that people across Ontario, when I meet with them, are telling me that he lied.

Hon Mr Wrye: Maybe he would like to withdraw it.

The Acting Speaker: Come on. They did not refer to him as a liar.

Mr Kormos: I would never in this House refer to the Premier as a liar at this point in time.

The Acting Speaker: Thank you.

Summation, the honourable member for Windsor-Riverside.

**Mr D. S. Cooke:** I can tell you are a lawyer, Mr Speaker. This is not a summation; this is a response.

One example that demonstrates how this party, the government party, has been able to shift things: When I was first elected there used to be about \$90,000 a year that went from the nursing home owners to the Conservative Party, usually to the Minister of Health's riding. And it could be traced. Every time the Tories would change the Minister of Health, the money would then end up in another riding.

What happened in 1985? The government changed. The nursing home industry no longer donated to my friends in the Conservative Party. Their money all shifted to the Liberals. We had all sorts of major reforms that we passed in the nursing home law. The Nursing Homes Act was changed in 1985 and 1986, but financial disclosure, one of the major aspects of the bill, has never been implemented by this government. I would not want to question the motives of the party in power, but I think it is clear it did not implement that section because the nursing home industry did not want it to and bought it off with about \$90,000 a year. It is not hard to do when you are up for rent like the Liberal party is.

I would like to respond very briefly to the member for Windsor-Sandwich. He made the commitment that the hospital was going to be built in 1985. He is the one who said there would be a sod-turning by the end of 1985. He should not call me a negative person, because he is the one who made the commitment and he could not deliver on it. It is five years later and there still has not been a sod-turning. He is the one who

should be resigning. If there is anything to do with integrity, then a promise of that importance to our community, then he should say: "I didn't tell the truth. It can't be done. I pay the price. I quit." But integrity is not one of the outstanding qualities of the Liberal Party.

Mr McLean: I want to take the opportunity to speak with regard to resolution 29, "That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing 1 April 1990 and ending 30 June 1990, such payments to be charged to the proper appropriation following the voting of supply."

I was a little disappointed yesterday when the Treasurer came into this Legislature and indicated that he wanted this passed within a few days. I think it is very unacceptable for the Treasurer of this province to bring in interim supply of over \$8.4 billion and want us to vote on it immediately. Why did he not bring it in last week? I think it is very unacceptable. Not only that, but the Treasurer is not even here today listening to this great debate, although he has sent his handicapped parliamentary assistant here.

I would like to preface my remarks on the Treasurer's resolution with a few interesting facts that the people of Ontario may not be aware of.

The Liberal government means big government. The Ontario public service has grown by 11.7 per cent since 1985, from 81,429 public servants in 1985 to 91,024 today.

In 1985 the Liberal government imposed a temporary three per cent surcharge on Ontario basic income tax of \$5,000 or more, and that temporary surcharge continues to this day.

Since assuming office, the present government has imposed an 86 per cent real increase in the tax bill, assessed directly to every Ontarian. This year, the per capita debt for every man, woman and child in this province has increased to \$4,159 from approximately \$2,300 in 1985.

The comparative tax advantage which Ontario corporations enjoyed over Quebec corporations in 1985 stood at 9.6 per cent. In 1989, Ontario corporations held a comparative tax advantage over Quebec corporations of just 1.8 per cent. These are some of the questions my leader was asking the Premier about today. For individuals in Ontario, the tax advantage held over their Quebec counterparts stood at 10.5 per cent in 1985. It was trimmed to just two per cent by 1989.

This government has implemented or increased 32 taxes since 1985, and the average Ontario resident has paid 10 per cent more in taxes every year since 1985, the year the present government gained power.

I want to say to the former Minister of Natural Resources, who is in the Legislature here today, that when he put on the \$10 fee for the hunters and anglers of this province it was supposed to go back into stocking fish and back into enforcement. It did not happen; only a portion of it went. Then the new minister came along and increased what our United States visitors who come here pay for licences, by a big, substantial amount.

I just want to put some of those facts on the record before I address the Treasurer's resolution to authorize the payments of salaries of civil servants and other necessary payments for the period beginning on 1 April of this year. I continue to have some very serious concerns with respect to the budgetary policies of this government, and those concerns continue to grow as we approach the time when the Treasurer will be bringing down another in the series of his budgets.

I would like to take this opportunity to focus my remarks on hree areas of particular concern to me. Those areas include ransfers to municipalities, our road system and the tourism and nospitality industry in the province of Ontario.

#### 1640

Last November, the Treasurer announced about \$19 billion n capital and operating transfers to the major transfer payment agencies for the current year. According to the Treasurer, the ransfers were to amount to more than 40 per cent of total provincial spending during the fiscal year. Assuming that expenditures expand at the annual average rate of the past three years, we would have expected the transfers to account for approximately 42.8 per cent of total expenditures of about \$44,887,800,000 in fiscal 1990-91.

The average announced increase in the five major operating ransfers was 8.3 per cent, the highest since this government came to power. While the transfer payment recipients received arger increases than in the previous year, the common comblaint in response to the 1990 transfers has been that the increases are inadequate to ensure the continuation of existing services and deficit in relation to the types of cost increases ransfer recipients are experiencing, frequently on account of provincially mandated policies and programs.

As far as I am concerned, the 1990 transfers raised two ssues of concern to policymakers and administrators.

The first of these focuses on the continuing escalation in the cost of providing services in general and health care in particular. For instance, if the current ratio between hospital operating transfers and total budgetary spending by the Ministry of Health holds for the next fiscal year, we could expect, on the basis of the announced transfer, total Ministry of Health spending in fiscal 1990-91 to be about \$15.6 billion. That amount would represent an increase of 12.1 per cent relative to his year's budget plan, an increase in line with average changes in this account during the past decade.

Clearly, increases of that magnitude will be difficult to susain in a slower-growth economy without incurring negative fiscal consequences or undercutting competing social and economic funding priorities. Unless this government moves to control service and program costs, especially in the health care and education and social service fields, funding pressures will ncrease and meeting these demands in a slower-growth economy will result in either more massive tax increases or the assumption of a new debt. I fear that the people will be hit with new or increased taxes or an increase in provincial debt unless the government develops some creative and innovative oudgetary policies. We all know that increased taxes and an increased debt are not acceptable to the taxpayers of this province.

Our municipalities were looking for an increase in total ransfers sufficient to match the rate of growth in their expenditures, the rate of inflation and the rate of growth in provincial revenues. What they got with the 1990-91 municipal transfer payments did not even come close to any of these. The 8.2 per cent allotted by the Treasurer is kind of a smokescreen, by the high growth in certain conditional grants, most important in social assistance, child care and sewer and infrastructure. Unconditional grants—the grants our municipalities are supposed to use to meet their own priorities but now must pay for the implementation of more and more provincial programs—were increased by a mere 4.8 per cent.

When the previous year's flat-lining of the unconditional grant program is taken into account, this translates into an ap-

palling 2.4 per cent increase per year over the last two years, falling far short of the 1990 projected rate of inflation of 5.3 per cent. The municipalities will never be able to catch up to meet the cost increases caused by inflation over the last three years. The unconditional grants formula is now completely out of step with increases in household growth across the province.

The government gives municipalities more and more to do but gives them less and less with which to do it. This government's lack of assistance to municipalities gives them only two options: more tax increases at the municipal level for the Ontario citizen or reduced services. I think the citizens of our municipalities should be made aware that the blame for these tax increases and reduced services should be placed on the provincial government and not with their elected representatives at the municipal level of government.

With respect to our schools, the Minister of Education announced last year an 8.7 per cent increase in operating grants for 1990-91, for a total of \$4.52 billion. This increase included funding for reduced class sizes, computers and learning materials and the kindergarten initiative, and \$30 million to address the impact of the first year of the six-year phase-in of pooling. This sounds like a positive shot in the arm for education, but in reality it was below the increase the school boards required. School boards throughout Ontario estimated they actually needed 12 per cent, including six per cent for inflation, two per cent for enrolment growth, 0.5 per cent for pay equity, one per cent for the employer health tax, one per cent for pooling, 0.5 per cent for unemployment changes and one per cent for government initiatives.

If the costs of increased enrolment and government initiatives are factored out, the school boards are left with a 2.7 per cent base increase, which is far less than the 5.3 per cent expected rate of inflation. This represents another offloading on to the property taxpayers. The capital allocation was increased by \$22 million, for a total of \$332 million for 1990-91. This will not provide accommodation for the 20,000 students who are currently studying in more than 7,500 portables across the province.

With respect to health care, hospitals have maintained that they needed a 10.9 per cent increase just to stay even. The announced increase left them with a \$150-million funding deficiency. There are fears that the 8.7 per cent increase for hospitals will result in fewer beds, less staff and no new programs, and this government's policies are responsible for part of the cost increase the hospitals will have to cope with. The government's pay equity program will cost the hospitals an additional \$45 million. The new payroll tax will cost them an additional \$60 million. Of the announced \$500-million increase in operating funding, \$336 million, or 67.2 per cent, will be eaten up by inflation. As for capital transfers, their value has to be assessed in light of the government failure to deliver on its \$850-million, five-year capital program.

When we talk about that five-year capital program, I remember the day when the former Minister of Health came to the city of Orillia to announce a \$30-million funding for the Orillia Soldiers' Memorial Hospital. He told the community to go out and raise its share. The community has done that. And then the minister has done the same there as he has done in Windsor: he has reneged on the deal. There is still no sod-turning and there is still no program to put the addition to that hospital in place. It is over two years since that announcement was made and the people of that community responded in no uncertain terms and raised their money for the health care of that whole community.

As my party's Tourism and Recreation critic, I would like to take a few moments to point out this government's apparent lack of interest in Ontario's tourism and hospitality industry. The government fails to realize this industry is an important part of Ontario's economy. The government apparently does not know that this industry plays a major role in creating employment, capturing a large percentage of foreign visitors to Canada and, I might add, increased revenues for the Treasurer, which he is always eager to spend. The current Minister of Tourism and Recreation does not appear to carry his weight at the cabinet table and he appears to be not paying attention to his cabinet colleagues when they are developing or announcing new policies.

A case in point is the recent decision by the Minister of Natural Resources to increase the fishing licences for anglers from the US, our visitors. I am concerned this move will substantially reduce the number of US tourists who come to Canada each year to fish. The Minister of Natural Resources increased the fees for US anglers on four-day, 21-day, seasonal and seasonal spousal licences. For example, four-day licences were increased to \$16.25 from \$11 and 21-day licences jumped to \$28.75 from \$22.

#### 1650

The Minister of Tourism and Recreation should have pounced on these increases as soon as he heard they were being proposed. He knows they will have a detrimental effect on tourism from the US in general, and on events like the upcoming Orillia Perch Festival in particular, which draws over 7,000 people and some 5,000 people from the US. If members think it is fair to put this extra burden on these people who come there to sport-fish, then they are fooling themselves. They are not going to get away with it.

This perch festival, by the way, takes place in Orillia every spring. It runs from 21 April to 13 May. We are expecting more than 500 Americans to register for this annual family fishing derby. But there are some serious concerns that most will decide to stay home rather than pay the new increased fishing licence fee. This is just one example of the low priority this government places on tourism in the hospitality industry in Ontario.

I am worried that this government's taxation policies and its decreasing interest in the tourism and hospitality industry are undermining the health and future of an industry that represents a new frontier of growth for Ontario. This government is undermining the growth by increasing its own administration programs, its spending, and slamming the tourist industry and hospitality industry with a long series of exorbitant taxes.

The tourism industry has been hit with the employer tax levy, increased personal income taxes and increased gas and fuel taxes. What about the recent tire tax? Then we find out today there is another tax that nobody has even had authority to tax. I will bet the Minister of Revenue got an earful when he got out in the lobby today. There are increased taxes on alcoholic beverages, the commercial concentration levy, increased municipal lot levies. This is just to name but a few.

Mr Haggerty: And you're all happy with that one.

Mr McLean: They're all happy with the taxes, the member is saying. The Liberal member says that everybody is happy with these increased taxes. I have to tell members that we looked at the \$1.3-billion tax grab in 1987 and we looked at another \$1-billion tax grab in 1988, and this is on top of all the other taxes that they have been taking in.

It is interesting. The Treasurer had a little note in the Orilli Sun the other day. He was rebutting what Diane Francis had said. All the minister talked about was how he balanced the budget. He talked about how he was going to have a surplus But did members hear once where the Treasurer said that when he took office there was a \$28-billion deficit and today it is way over a \$40-billion deficit? As I said, \$4,115 for every man woman and child, and when he took office it was \$2,300.

For him to write in the paper and talk about how he ha balanced the budget and how he is going to have a surplus nex year—it is totally ridiculous that a man like that should by allowed to get away with that type of record.

This government should move immediately to broaden an intensify the advertising promotion efforts of both public and private sectors in tourism to maximize its business opportunitie and its share of the market. Clearly, responsive and responsible public policies exert the greatest impact and influence on the fortunes of the tourism-hospitality industry, and that industry is looking to the Minister of Tourism and Recreation and his government to provide leadership, counsel and assistance. Unfortunately they are not providing that leadership nor the assistance.

Despite this government's lack of interest in the tourism hospitality industry, I am pleased to report that th entrepreneurial spirit is alive and well in Ontario, but that spiri can only survive and flourish as long as the industry can expec an appropriate level of co-operation and support from thi government.

There are two constituents of mine, Mr and Mrs Penicud o Orillia. They recently wrote to me about a concern I have ha with respect to the prizes awarded in Ontario's numerous lot teries. In their letter, the Penicuds said: "No one needs to wi \$10 million or \$13 million. A poor person would be elated t win even \$50 or \$100 or a couple of thousand dollars." Thes people said, "More prizes in smaller amounts would spread th wealth around and help the disabled, help our seniors and work ing people meet their daily expenses."

These expenses could be quite a burden when you conside the 32 tax grabs that this government has hit the people with and I agree with these people from my constituency. In fact have always said, "Give 10 people \$100,000 each rather that giving one person \$1 million." This would enable more people to pay off their mortgages, buy a new automobile or meet othen ecessary financial commitments. Now I understand that the Minister of Tourism and Recreation also wants to add the environment to the lottery moneys in Ontario.

I would like to take a few minutes to address the deterioral ing road system in the province of Ontario. It was recentl determined that the average price for a litre of regular unleade gasoline is 53.4 cents. Of that amount, 11.3 cents goes to th Ontario government in the form of taxes. The most recent one cent-per-litre tax increase is expected to pump another \$29 million into the government's coffers over a period of one year and the Treasurer has generated more than \$900 million throug gasoline tax increases over the past three years.

The Treasurer always claims that revenues generated from gasoline taxes are used to build new roads or to make improvements to the existing ones, but I think it is quite clear to anyon who has travelled on Ontario's roads and highways that this simply not the case. This province's road system is deterioratin at an alarming rate. Our road and highway system was once the envy of North America, but times are changing and our road since this government took power, have been continuously

oing downhill—not even level but continuously going ownhill.

It should be noted that there are 456 miles of roads in simcoe county, and that includes 20 miles of Orillia's suburban oads and 37 miles of Barrie's suburban roads.

This government fails to realize that our road system in Intario and its condition affects not only commercial traffic but Iso the tourism and hospitality industry. As well, well-mainained roads are crucial to commuters who drive to and from vork each day. In outlying areas of this province, roads are the ifeline linking communities, families, businesses and emergeny services. Here again there is an urgent need to maintain and mprove the road network. For example, many of the existing wo-lane highways should be upgraded to four, such as the road rom Waubaushene to Sudbury.

It is clear to me that balanced priorities are essential. Traffic ongestion cannot be allowed to restrict the lifeblood of our arge cities and create urban decay as has happened in the Jnited States. At the same time the transportation needs of cople living in the more remote areas of this province must be net. Road deterioration demands government attention now, refore the system is further compromised and the cost to repair t becomes astronomical.

The deteriorating condition of Ontario's roads and high-vays lead many people, including myself, to believe that the overnment is not using gasoline tax revenues for road contruction and maintenance as promised. If it is not being used or this purpose, just what is the money being used for? I have tell members that there is more money taken in in fuel tax, asoline tax and licensing than the ministry spends in its whole udget. It is right in the Treasurer's report. It is there. There is nore revenue taken in in gasoline tax, fuel tax and licensing han the whole ministry spends. This government must realize hat Ontario's roads and highways are too important to ignore in he future, as it has done for the past five years.

# 700

The Treasurer should have had this motion brought in over week ago. There are many members in this Legislature who would like to have the opportunity to say a few words about the judgetary policies of this government, budgetary policies that we feel are detrimental to the taxpayers of this province.

You look at the increased taxes that each taxpayer is paying, he increased taxes that the government is causing them to put n—the home tax. What has it done with regard to the farm tax ebate? It is not even mentioned in the brief that the Treasurer has been dealing with. What are they doing with that? This government is failing the people of this province with its high and excessive tax policies.

Mr Kormos: Last night I went down to Thorold and had he pleasure of being present at the annual general meeting of he Thorold Community Activities Group. It was the third time have been able to be with them. It was their eighth annual neeting and they are as impressive as they ever were.

Why they are important is because of what they do for their community. We are talking about a group of volunteers that perates an incredible and impressive array of programs for roung people and for adults: sports programs, preschool programs. Indeed their biggest project in the last year was the nitiation of a nursery school program, which has grown to the point where they are beginning to look for a second location, I am told, and where they are operating it in such a way that, what with the anticipated support from the region for some

subsidized spots for some youngsters, for some toddlers, they are going to be operating in the black.

These volunteers have not only provided their own time in terms of their own contribution, their own effort to the program, but as well their fund-raising efforts have generated enough funds so that there is an executive director and some four other staff working in the various programs. Stephen Boal was the president for the past two years. He has been replaced this year by one Michael Charron.

These are all people from a small town that is very proud of what it has to offer its residents, a small town that is growing, as many others are in the Niagara Peninsula, but a town that does for itself what the city government simply cannot afford to do and what is simply not available from other services.

Quite frankly, were it not for the Thorold Community Activities Group and their not just hundreds but thousands of hours of volunteer contribution, these programs simply would not exist. If it were not for the fund-raising efforts of these same volunteers, these staff—Garth Hollett, the executive director, and the other staff—simply would not be there.

That is why I speak of this at this particular point, because communities like Thorold, like Welland, have to rely upon their own resources to develop programs that perhaps in some other communities people do not even expect and in some others, perhaps because of the affluence of the community, people take for granted.

You have groups like the Thorold Community Activities Group, which works hard, depending upon the labour and contribution of volunteers to make programs successful. You have groups in Welland like the Welland Heritage Council and the multicultural centre that co-ordinate a number of groups, a number of ethnic groups and groups of new Canadians, that again work hard developing programs and are the beneficiaries, and grateful beneficiaries, of provincial grants—no two ways about it—and the beneficiaries of federal grants, and on the rare occasion the beneficiaries of some municipal moneys.

But were it not for the volunteer activity and the volunteer fund-raising, the programs they have simply could not be sustained on what they get from the federal government or the provincial government or the municipal government alone.

Quite frankly, Welland, like Thorold, is very much in a position where its tax base has been utilized to its fullest, to the point where, from the point of view of ratepayers in those communities, there is simply no more water in the well. Property owners in those communities, householders, feel that they have been squeezed in terms of taxation for every last penny that could ever be gleaned from them.

Groups like the Welland Heritage Council and others, in the course of their fund-raising, rely upon social activities. One of the things they rely upon is the operation of events that are both fund-raising and social for their own membership, for their own boards, for their own volunteers and friends and neighbours, and one of the things they have discovered is that the government, rather than encouraging these types of activities, has simply made them all that much more difficult.

How has that happened? In some simple but devious ways. In the most recent past these groups have discovered that the fees for special occasion permits, licences for halls when they operate events, have been increased so that they are no longer able to pay graduated amounts depending upon the number of people present or the amount of beverages provided, but rather they are flat rates now, \$60 or \$100, one or the other. Again, fine; were these all on a large enough scale to warrant those fees, nobody would be uncomfortable.

As recently as the recent past, the Ukrainian labour temple, operating a social event, had so little in the way of beverages being consumed that it suffered a net loss, the fee being \$100. Contrast that with their traditional fee, where there was a range of fees from \$26 to \$44 to \$53 to \$70, depending upon the amount of beverages consumed or sold at that particular event.

It accommodated these small neighbourhood groups; it accommodated these small clubs and organizations that had something in common. They were senior citizen's organizations, ethnic clubs or groups like the Thorold Community Activities Group which did these things so that they could sustain activities in their respective community. The sad thing is that these groups are suffering now, perhaps because the hotel and motel association lobby was sufficiently powerful, as it has been doing over the years, trying to influence both this government and the one that preceded it to up the ante on special occasion permits.

The hotel and motel association said, "Quite frankly, we do not like special occasion permits at all; we find them somewhat intrusive on our members' activities." Interestingly, the previous government did not acquiesce to that, and this government in its early days did not acquiesce to that, but now, with this majority, it succumbs to the pressure on it from the hotel and motel association. It puts groups like the Welland Heritage Council and all of its member organizations, groups like the Thorold Community Activities Group, in the most difficult position of having to curtail some of their own fund-raising activities.

None of these organizations would particularly mind if the same moneys were available to them from other sources, but they do not expect the provincial government to fund them. They do not expect the federal government to fund them fully. They, quite frankly, know that the municipal government cannot fund them because municipalities have exhausted all of their sources of revenue as it is and there simply is not any more water in the well.

This afternoon, I want to applaud Stephen Boal, Michael Charron, Garth Hollett, the executive director, and all the others involved in the Thorold Community Activities Group. I want to congratulate Yvette Ward and the Welland Heritage Council for their work in the city of Welland. At the same time, I want to remind the government that these people in small communities like Welland and Thorold work hard developing the programs that they do. Indeed, these programs are successful because of the volunteer contribution, and this government should be doing things to encourage and support and sustain that, not doing things like upping the ante for special occasion permits so that it create even more hurdles for these people to have to overcome and jump, so that it makes some of their programs unprofitable, so that it creates, as an inevitability, the shutdown of some of these programs, clubs and organizations that are so valuable to people in Welland and Thorold.

This government has on so many occasions touted itself as saying, "But we are open, we listen, we are responsive, we consult." These organizations feel that they have not been consulted when it came to upping the ante for special occasion permits so that their activities would become unprofitable or impossible and they quite frankly resent that. They know that the contribution they make to their communities is so significant now as it is, and they feel deserted by their provincial government. They feel that the provincial government, rather than making things easier, is making things harder. So I ask through you, Mr Speaker, for this government to recognize the contribution of groups like the Thorold Community Activities

Group, people like Yvette Ward and the Welland Heritag Council, and to please make things easier, not more difficult.

1710

Mr Villeneuve: I too am pleased to participate in the debate on interim supply. I will be touching on a number of subjects that affect the province generally and also my riding it particular.

I believe the cutbacks in Agriculture and Food have to be addressed, and I am glad to see the minister is here. The Stawrence Parks Commission has recently announced the closure of five parks in the St Lawrence system and I think we have to address that one. On Highway 16 we have had some very unfortunate accidents and some fatalities, and certainly do not think 1998 is acceptable, as announced last fall by the former Minister of Transportation, and I think we have to locat that.

A subject that was touched on today and that I will touch c again is courtroom security and how it affects some of our sma municipal towns, for example Kemptville and Alexandria. know the city of Cornwall had quite a controversy on it. So w will be touching on those, along with some other subjects.

It is always interesting when the Liberal government of Ontario speaks of the cutback by the federal government is transfer payments when indeed there was an increase—not large increase, but a 2.1 per cent increase. This is the sam government that had no hesitation in flat-lining the funding for municipalities a year ago; no hesitation whatever. They attem to convey to the public of Ontario that there has been a cutbact in funding, in transfer payments from the federal government when indeed there was an increase of slightly more than two potent. So that has to be straightened up just a little bit.

In agriculture and food, one of the very basic industries this province, one of the reasons why this province is a leader-a leader in other areas than agriculture, but certainly a leader agriculture and food—is that in 1985 the total money to be disbursed by the then government was somewhere in the area of \$28 billion. In the present fiscal year we are now at in excess of \$42 billion.

The anticipated budget for the Ministry of Agriculture ar Food is \$491 million, or just slightly more than one per cent of the entire income of the province of Ontario. This is following at least 32 different tax increases and an increase of some \$1 billion in amounts of money that the province of Ontario has received from the taxpayers. So certainly Agriculture and Foois not one of the prime targets for support by this government, would even dare suggest that the Ministry of Agriculture ar Food has been relegated to the back burner altogether in the order of priority at the cabinet level.

The Ontario Farm-Start program, which replaced the begining farmer assistance program, was initiated by the gover ment of the Premier when it was elected on 10 September 198. The Farm-Start program started on 1 January and, would mer bers believe, by June that year had run out of funds. In less that six months it had run out of funds. So the window was open for a very short time. We had a number of potential new farme who qualified for the program at that time.

I have had some rather sad experiences. People have conto me and explained what happened to them. One example: order to qualify, a beginning farmer had readjusted his incontax statement for the three previous years. He had taken sonvery legitimate deductions and settled his income tax. He real justed in order to qualify for the new farm-start program. After made all of these financial gymnastics through the Department.

ment of National Revenue, the taxation people in Ottawa, lo and behold, he was refused under the Farm-Start program.

Here we have one example of a potential farmer who went hrough all of the gymnastics that were being required by the Ministry of Agriculture and Food and he still did not qualify as a beginning farmer under the Farm-Start program. A rather sad situation and I have several others that I could speak of, but ime will not permit today. That is the kind of service or lack hereof that is being provided by this very bureaucratic government.

On the previous beginning farmers program, what is comnonly known as beginning farmer assistance program, the government of Ontario saw fit to cancel the last two years of hat program which had been initiated and that the farmers were banking on. So we have a situation where the beginning farmer assistance program, which was the previous Conservative government's program, was cut short. After having been promised that there would be two additional years, it was cut hort and will terminate at the end of 1990.

These are some of the so-called big bonuses. I hear some Liberal members crossing the province of Ontario telling our armers how great a job they have done for agriculture. The armers are now not only catching on, but they are accepting hat indeed this is not correct information. It is exactly in the apposite direction.

When we look at the St Lawrence Parks Commission, we ecently had an announcement by the St Lawrence Parks Comnission stating that five of our prime park waterfront lands will not operate any longer under the St Lawrence Parks Commission. They are Morrison and Brown's Bay campground, Charottenburgh, Farran, and Grenville parks.

I have had occasion to speak to a number of people who vere involved directly as either employees or campers. There is a great deal of concern when we close down five prime vaterfront properties that were being used, maybe not to their naximum—and the jury is still out on the method of assessing he occupancy of these parks; the jury is still out on that. It will be interesting when we have some checks and balances as to ust how well filled these parks were. I can assure you that in he case of Grenville Park for sure, many, many weekends in particular we had campers in the overflow area or doubling up on sites in order to accommodate everyone. That is one of the ones that will no longer be operated by the St Lawrence Parks Commission.

On the way to Toronto early Monday morning I heard over a local radio station in eastern Ontario that the parks are for sale. I hope that is a mistake and I hope it was a wrong interpretation because if indeed the government of Ontario or the St Lawrence Parks Commission is offering some of this prime, publicly owned waterfront property for sale, I can assure members I will do whatever I can to prevent this particular situation from occurring.

In the case of Highway 16, in my former incarnation prior o politics I was a real estate appraiser, among other things. The nteresting thing about Highway 16 is that the expropriation of he right of way was all done in the late 1970s and early 1980s. It is the main artery leading from New York state direct to the nation's capital. It is a highway that was repaved in 1989 and was in very bad need of resurfacing, but we have had some more fatalities recently. One lane is already there; we are simply having to look at putting in the second lane to make it a four-lane road from the Johnstown bridge at the southern extremity of Highway 16 to the nation's capital.

I cannot accept that this government's schedule is for completion in 1998. They made a big to-do about the fact that it was supposed to be completed in about the year 2000, and they have shortened it by two years. I find it unacceptable and I can assure you, Mr Speaker, that we will have considerable fatalities on that road, not only this year but in the total time that it takes prior to having it turned into a four-lane highway.

# 1720

There is a group in the Ottawa area and in the area of Highway 16-416-known as Pave the Dream. They have the right idea, and certainly I am in full support that Highway 416 be completed much sooner than anticipated. I can even say, and this is true to form of this government, that when the leader of the Liberal Party went to Ottawa prior to the 1985 election, he had Highway 416 scheduled for completion in 1994. Of course, he told the Ottawa people that the Queensway would also be completed in 1987 and it is barely complete now. As a matter of fact, there is still construction going on on the Queensway, which crosses the nation's capital. But to have Highway 16 as the main and only major route from the Johnstown international bridge is not good enough. We have to look at Highway 416, and I urge this government to look at its priorities again. I see the Minister of Transportation here with us today, and I urge him to have a second look.

Courtroom security in small communities, which I am very proud to represent quite a number of, creates quite a financial burden, and the Attorney General today, after some urging by yours truly, mentioned that, yes, there was a problem in the community of Alexandria with courtroom policing or security and, yes, the courthouse was closed for quite a period of time after the announcement was made by this government, by the Attorney General, that the responsibility for policing would be entirely left to the municipality in which the courthouse was situated.

It was not a fair assessment at all. Some funding was prior to the change of the legislation, provided through unconditional grants, and then it became a per household, annual, added income to the municipalities, but in no way, shape or form is it sufficient to cover the entire cost of courtroom security. So small municipalities such as Kemptville and Alexandria which happen to have the courthouse situated in their town are effectively carrying the cost for all of the surrounding rural and other municipalities, just because they happen to be burdened, if you will, with the location of the courthouse facilities.

The environment, I think, is going to be a very major issue. I have on many occasions urged this government and the involved and implicated ministries to look at a replacement for MMT, which is at present the octane enhancer, which is a known carcinogen. It is a known cancer-causing agent, and somehow or other this government has completely and totally ignored it.

For example, MMT is totally banned, entirely, across the United States, and in so doing, it reduces both carbon monoxide and carbon dioxide from automobile emissions very considerably. I think the ministries involved, and there would probably be about five ministries involved, must look at this situation and must take remedial action now to protect the environment. When the Minister of the Environment suggests through the summer months that because of high pollution count he may even be considering the restriction of driving private motor vehicles to downtown Toronto, I say, prior to encroaching into that area and limiting the numbers of cars in downtown Toronto, we should at least be looking at cleaning up the fuel that is

used in these cars. We have the technology. It is economically viable. All we need is a bit of leadership from this government.

There is another area of concern, and it is in eastern Ontario and in the major city close to the area that I represent, the city of Cornwall. There are two different groups working towards, or working against, the construction of the pool. The aquatic centre in Cornwall is a very controversial issue. The problem we have is that there has been no leadership from this government as to whether it will be funding any portion of this project, whether it approves or disapproves of it. We have the community torn apart trying to decide, do we or do we not build an \$8-million-plus aquatic centre? If we decide to go, where does the government of Ontario stand in providing some financial support?

I urge the Premier and the Minister of Tourism and Recreation to look at the Cornwall situation and guide it, give it some guidance. If the government is going to provide some financial assistance, it should tell them and then they will know, the council will know.

Those other people who, for whatever reasons, are going in the other direction on the pool will also know where and what the financial requirements and commitments will be for the taxpayers of the city of Cornwall if they go with an \$8-million aquatic centre or with a \$4-million aquatic centre. For goodness' sake, they should provide them with some leadership on where this government stands on the issue.

As far as the employer health tax is concerned, many of the small businesses in rural eastern Ontario are very concerned about the added cost of doing business. The report commissioned by the Ministry of Agriculture and Food, the Report of the Food Industry Advisory Committee, has some interesting observations. I will only touch on a few of them right on the front page: "The Food Processing Development Strategy." There are a couple of concerns that read as follows:

"Competitively priced raw products: that is, the ability of Ontario processors to procure raw products at prices similar to those firms with whom they compete."

Second, "A conducive business climate:"—and the employer health tax, among many of the other taxes increased by this government, is being addressed in this statement—"industry's perception is that there has been a series of legislative initiatives imposing new costs" on business. "Cumulatively, they make Ontario less attractive for long-term business investments."

That is what we are talking about in interim supply, the economic atmosphere that we have at present here in the province of Ontario. We have investors being nervous. We have people who are in business finding it difficult to compete. It seems that every year when the Treasurer comes out with a new budget, these people are faced with an additional tax, so I think we have to look at it in the right light and say, "We must remain competitive." Ontario must compete on the world stage, and we have.

Today, a number of the speakers have spoken of the competitive advantage that we have had, a 10 per cent advantage over our neighbours in the province of Quebec. That 10 per cent is now down to no advantage, and I am afraid if we face many additional taxes at this provincial level, the competitive edge will be negative against the province of Ontario. That makes me very concerned.

But my first concern, and I go back to what I discussed initially, is the cutbacks to the Ministry of Agriculture and Food and the support for our struggling agricultural community. The farm tax rebate was initiated by the previous government to

provide equity in the system to agriculture because farm lan was being taxed for school purposes. That was not right and was not fair.

#### 1730

It was \$95 million back in 1985 but because of the lack c support for school boards and municipalities, it got to be \$16 million in 1988. The Treasurer thought that was too high and h chopped it down to \$140 million and used all sorts of mean tests to see if a farmer qualified, off-farm income and a number of other things.

That particular farm tax rebate was to provide equity to Ontario's agricultural industry because of the way the school financing was done. Farmers are being made to feel guilty because they get a farm tax rebate, and that is not right. It is not fair and it is not just. It was put in to bring equity to the agricultural community.

The Ontario family farm interest rate reduction prograr was not renewed. They let it run out. Why? I do not know. W are facing the highest interest rates right now that we have i the last nine years, and still this government has done nothing.

The government talks about the land stewardship program. Someone should go try to apply to the land stewardship program: "No money, I am sorry. It is a good program; no money."

This is the kind of situation we have. The Ministry of Agriculture and Food has lost \$100 million in the last thre years of money that was targeted and budgeted to go to ou agricultural industry. It is not getting it, and we are faced with reducing amounts, reducing the agricultural engineers, as questioned the minister today.

So it is reduce, reduce, reduce when it comes to agriculture every other ministry is up, up, up. Agriculture does not cour with this government, and the Liberals will pay the cost in th long run.

Mr Pouliot: I welcome the opportunity to share only a ferbrief moments regarding interim supply. It gives individual members a chance to talk about individual or parochial matter in their respective ridings. Knowing the size, and I know yo know it very well—

**Mr Sterling:** How big is your riding?

Mr Pouliot: A riding with 114,000 square miles.

In the few minutes that are left on the clock before w adjourn debate, I know, judging by the reaction—and I am not appalled this afternoon but I am pleasantly surprised at the ir terest regarding the very fine people of Lake Nipigon and the contribution they make to southern Ontario with their excess dollars, with their natural resources, with their sons and daughters and, sometimes, as a grand finale, due to the lack to incentives and recognition up north, exporting themselves.

I want to touch briefly on the state of siege under whic many people in northern Ontario presently find themselve. They are victimized with that condition on account of the unfairness of the tax system which over the past few years, morspecifically again, has put the people under a state of siege.

Many of our municipalities up north depend on uncondtional grants because we do not have industrial and/or commecial assessment to the same magnitude or the same level as experienced in southern Ontario. We do not see it as a handor but we see it as justice being recognized or being made. Wel those grants were frozen.

Yet the rate of inflation, as members are well aware, kep rising. That evil, that demon, went up by five per cent, 5.5 per cent, sapping our resources over the last couple of years. Out of

very litre that we must consume—for owning a car in the ding of Lake Nipigon is a necessity, not a luxury. Yet when we o to the pump to gas up, we are bumped, we are robbed, when 1.3 cents out of every litre is imposed on us by the provincial reasurer. The rate of Hydro—it was not too long ago; in fact, I emember vividly for it was last week, last Monday when obert Franklin, the chairperson of Ontario Hydro, right here own University Avenue, announced that—

Interjections.

Mr Pouliot: Mr Speaker, with high respect, I for one take a reat deal of pride in not interjecting when other members have ie floor.

Interjections.

The Deputy Speaker: Order, please.

Mr Pouliot: I for one have read the standing order; I for ne am most familiar with article 20(b).

I certainly am appalled when we are talking about a roposed increase of 12 per cent, which will indeed have a evastating effect on our ability to cope with the future. In some ases, because of climatic condition, because of the rate strucire in rural municipalities, the people in the riding of Lake ipigon often pay twice as much for that essential service for ectricity as our southern counterparts do.

We are talking about a state of siege. Our unconditional rants are frozen. We are talking about a state of siege being erpetuated because of our lack of ability to cope with the price f provincial taxes being charged for every litre of gasoline at e pump. We are talking about a state of siege because of the corbitant gouging by jackals at Ontario Hydro whose appetite eems to be nothing short of insatiable. We are talking about irness as well. We-collectively members of northern Onrio, individually when we refer to our respective ridingsever hesitate to give justice when justice is becoming, when istice is due.

By the same token, with the same sincerity at our comand, Mr Speaker, you have seen us on our feet time and time gain, reminding the Treasurer that on the afternoon of 19 ebruary, a mere day before the last federal budget, the reasurer of Ontario had a press conference, summoned people om the media and advised them of the following: that for the rst time in two decades, in 20 years, the province of Ontario nally had not a balanced budget, but a small surplus. A budget f some \$42 billion in expenditures, the largest in the ominion, in this country, was finally being balanced by evenues exceeding \$42 billion. In fact, he had a small surplus. omebody cooked the books.

But it was very short-lived, for the same Treasurer, with a reat deal of pomp, with a great deal of fanfare, announced that ne province of Ontario, one more time, had an \$11-million irplus. A twist of fate indeed, more than a coincidence; sorery, an act of sorcery. So when the next day the federal Minier of Finance in Ottawa, Michael Wilson, pulled one of the ldest tricks in the world and indulged in buck passing, the reasurer, 14 hours later, found himself behind the proverbial ight ball. He was \$500 million in the hole.

What will the Treasurer do? This is the focus, this is how he going to penetrate and hurt the people of the north more than nyone else, for we are the least immune. He is going to cut ervices, and then he is going to pass the buck to the nunicipalities. He has done it before.

Miss Martel: No, never.

Mr Pouliot: No? One second. In the mid-1970s the province of Ontario, the government of the day, used to pay 60 per cent of educational costs in Ontario. In 1990 the government of Ontario pays 42.7 per cent of educational costs in the province of Ontario. Where does the difference come from between 60 per cent and 42.7 per cent? It comes from the left and the right pockets of ordinary taxpayers.

I have reminded the Treasurer more than once, Mr Speaker, through you, that five years ago 43 per cent of people in Ontario were considered to be middle-class people. You know what I am talking about: the people who pay for everyone else, who pay for the more fortunate in our society, who pay for the less fortunate in our society, the people who are alone, who are lonely, who do not have the resources to go to the marketplace and need to be subsidized.

We, as a civilized society, cannot afford to be without a social conscience. Yet the people who are very rich, the people who have more, who have been lucky, have been blessed cannot afford, it seems, to have a conscience. Consequently, the middle class, the 43 per cent five years ago, has shrunk to 39 per cent, and 80 per cent of those people from 43 per cent to 39 per cent went on the coattails of the working poor while only 20 per cent, and that only for the time being, escaped on the fringe of the more fortunate.

# 1740

We in Lake Nipigon often talk about roads. We talked about the road system. It is a riding of 114,000 square miles. One of the members paid me the compliment and asked with courtesy, "How big is the riding of Lake Nipigon?" It is simple. It is the size of Germany. It is the province of New Brunswick, the province of Prince Edward Island and the province of Nova Scotia. Put them together and multiply by two.

We need to four-lane part of the Trans-Canada Highway. We are not asking, because of the magnitude of the project and because of the tremendous costs that are attached to it, that it be done overnight. But we are asking simply that a timetable be established. If we had a four-lane highway, it would go some way, a long way to helping us promote tourism. It would be an important component of economic development, not only because it would provide work but it would literally put us on the map. People would become aware. It would rectify what is a safety hazard because of the climatic condition that we have to experience, because of the severe climatic condition. We hope that the government is listening.

I have talked about Ontario Hydro. Would it not be nice if we were to use Ontario Hydro, an essential necessity, as a tool for economic development, as a component for economic prosperity? People would be encouraged during a period of surplus capacity, when the system is overcapacitated, to make a deal and tell consumers as well that, "We will help you stay alive here by having a fair deal." As is, it proves to be a consequential deterrent where we have problems making ends meet because we are being gouged by utility companies.

One more time, I plead with Treasurer to lessen the burden of the tax on gasoline, again a daily necessity in the north. Why does the Treasurer not simply say, and he can do so with the stroke of a pen: "Look, there is 10, 15 cents difference for each litre that must be purchased at the pump between the north and the south. Why don't we take one or two pennies each year?" It will encourage people. It does not mean that much. The government has a budget of \$42 billion. There are not that many people up north, but it will benefit them individually. It will benefit their environment. It will give them a chance to believe. It will give them a chance to grow.

Those are positive alternatives, alternatives that have been tried, placed elsewhere, and alternatives that have worked. Again, that is all we are asking for. We are not asking for any more than that. Our population is decreasing. We choose to be there but we need land banks. We need some portions of the north to be put aside for economic development. Our grievances are not always based on particular pieces of legislation that are very controversial and, heaven knows, emotional.

Many communities in the north will do almost anything to get the attention of the government. They do not feel that they are being listened to; they do not feel that they count. They have 15 seats out of 130 and with the population shift, as they look to the future, they say:

"Look, we don't have that much clout as it is. We have 90 per cent of the territory, but we only have less than 10 per cent of the seats, and decreasing, especially vis-à-vis the rapidly growing greater Toronto area, all of southern Ontario really. So as the years roll by, maybe we will still have 15 seats and the Legislative Assembly of Ontario will have grown to 140 or 150 seats to give representation, rightly so, to Ontario citizens. Then our clout will be lessened."

Then we up there will be asked:

"Where are we going? What are we going to do next year? What about the year after? Are they really listening, or do they fly from Toronto to Thunder Bay, shake hands, go into a bear pit session, say a few platitudes with little or no planning and, 'See you next year, folks,' or 'We might see you this summer because the fishing is good there and it is still good'?"

I do not want to take too much time. I will have more opportunities to bring greetings from the people of the north, for they, on average, listen more than anyone else in the province to what takes place in the Legislative Assembly of Ontario. They are very much aware of legislation, for a lot of the legislation that is passed here affects them directly. There is no ricochet. They bear the legislation up front.

What I am saying is that it is becoming more and more difficult. There is a saturation point where we cannot, collectively or individually, be asked to pay more in terms of taxes. It is really starting to hurt. In fact, it has been said that all the components are there for a revolt. Strong words; a tax revolt, that is, of course. If the Treasurer of Ontario either imposes it in his next budget or passes the buck to municipalities, thereby punishing the taxpayers at the residential level, the people will go up the proverbial wall. There is very little chance to grow.

Again, I wish to convey the greetings more specifically today of the people of Lake Nipigon. We are very proud. We have a lot to be thankful for. I remember, and I want to leave members with this, that 25 years ago when I moved to Manitouwadge, as I looked around, people did not have much. We all came from someplace else. It was a new community, not unlike many of our neighbouring communities up north. But we had so much to be thankful for and to look forward to. Today, as I look around the same community and the neighbouring communities, people have more but I am not so sure they have as much to look forward to as we did then.

Mr Wiseman: I am pleased to have an opportunity for a few minutes to tell the government what I think is wrong in my own riding, as I see it, with the way it is spending the money of this province.

In environment, I hosted in Lanark, in the county offices, a meeting last year where we had some 30 or 40 municipalities represented that were having water and sewer problems. A few

of those have been partially addressed, but the two I would like to mention today are in my own riding, and those are Smith Falls and Carleton Place. They have cut both those municipalities off any other hookups, and that, as we know only stagnates a community, if it cannot move ahead. If they purp up a large sum of money themselves, that comes out of the taxpayers who have already paid for the infrastructure that is in the ground at the present time. So that is a second tax on those particular people.

The town of Smith Falls, for instance, is looking at a \$10 million to \$15-million expenditure to do what it has to do to before the Ministry of the Environment will lift its regulations. It know many towns across Ontario are finding the same problem. The minister and the government, I believe, are spending on the new areas, the fast-growth areas, forgetting in a lot of cases the slower-growth areas and areas that have been in the ground for a long period of time.

# 1750

I feel that it would only take a little bit of the added ta: dollars. My gosh, today in the House we heard the Minister o Revenue say that he is collecting a tax that we never knew of or this side of the House. Anyway, he is collecting off car rental for a tire tax. I think we have yet to hear that a cent of it ha ever been spent for recycling tires. The only thing that recycle tires was the big fire up here and I am sure none of us want another fire like that in our history. I think that lays the blam right at the government's feet, that it had not moved on that fas enough. They did a lot of talking, but did not move along.

But on environment, I would like to see them spend some of their dollars there and spend them wisely and well in that way.

When it comes to schools, I wish the member for Renfrey North were here. He seems to be doing quite well in his part of Renfrew North, but in the part of Renfrew that I have the pleasure of representing, in the town of Renfrew itself, we need a school. I think the honourable member would agree to that but has not agreed to the funding.

In Lanark, the board there needs additional schools. The money for the eastern region seems to be going into—again, a with our water and sewers—the fast-growth areas and they are forgetting that some of our schools that have been there for years and years are now becoming obsolete and have, in some cases, a lot of work orders against them by the fire marshal, hope it never comes to the fact that we have to have a bad firm order to get this government and the Minister of Education to put some money into building new schools where there are somany work orders that it is not reasonable to put the money in there to repair them.

This government is fast becoming known as the government that introduced portables. We used to have schools, bu now the people tell me that we have portables. I have had som people who were in these portables, young people. I am glad to say that now they attach them to the school, but at that time they did not and students had to go to the washroom in the main school. Many of these portables were given to the younge members of the school. They put on their coats in the winter time to go to the washroom facilities in the main part of the school.

As many have said, when we were the government we saw the funding for schools at 60 per cent; now we have seen it go down to 42.7 per cent this year. I heard the school board from Leeds over the weekend saying that is why it is in the position in today, that the government is not funding it at an adequate evel. That goes for Lanark-Renfrew as well.

I have just had a bout and been in the hospital for a week nd I know that many of the hospitals that I have the privilege f representing in my riding have had a commitment. The Perth ospital, the Great War Memorial Hospital, understood that it ad a commitment from this government that if it raised a cerain amount of money, it would be able to go on with its project. low that project, like two or three other hospitals in my area, as been put on hold. They took the government at face value, nat it meant what it said, that it would have the money available if they raised theirs. Lo and behold, like so many other ommitments, when the time came, when they raised their share f it, the government said: "Hold on. We're not prepared to ssist you at this time."

Talking to patients there, seeing how the patients are waiting for surgery in some of the Ottawa hospitals and having two rethree calls from people where the doctors have tried and tried of get the people in, their loved ones are worried that there are crious operations that these people must have, and lo and beold, they cannot get in the hospital. They phone me, saying, Can you phone the doctor and see if our loved one can get in?" hey have been waiting for six weeks, two months, three tonths or whatever the case may be, but a long period of time.

Having been in the Ministry of Health in the mid-1970s and aving looked today at the money that is being spent, about the ame percentage of the budget, but many more dollars, I do not link today that we have the health care system—I hate to say it ut I know we do not have the health care system—that we had hen we were the government. I was hoping the last time that he Premier would have seen fit to change the Minister of lealth and put somebody else in with some fresh ideas, someody who could take hold and clean up the health system so nat the money we are spending is spent wisely and well.

I would like to mention the Rideau Regional Centre while I in on my feet. The Minister of Community and Social Services old me that he would not put those people out into the community until he had the support services that they needed. They are not built the schools to help those people out in the community. They do not have the physiotherapy out there. They are gone through with hardly a thing. They are putting them ut in the community and it is not fair to those people. They and to be out in the community, but they should have the apport services. I know my House leader is looking at me, and will turn over the floor to him, but there are just so many mings that this government is doing wrong you could spend the whole afternoon.

# The Deputy Speaker: On a point of order.

Mr Eves: In the House this evening I would like to raise a point of order under standing order 41. Standing order 41 deals ith opposition days, and standing order 41(c) states:

"On the last sessional day of a week during which the louse meets, notice, having been given by a member of a cognized opposition party, shall be printed on the Orders and lotices paper specifying,

"(i) the day in the following week which is to be designated as an Opposition Day; and

"(ii) the text of a motion to be debated in the House or a abject matter to be considered in committee of the whole douse.

"In all cases, the notice shall indicate the minister of the rown to whom it is addressed."

I have been requested by my leader this afternoon to table the following motion. A copy is also being delivered to the Speaker's office at this moment.

As members may be aware, the three leaders have been discussing the wording of a resolution dealing with the French Language Services Act for some weeks now. I understand that they are engaged in negotiations this afternoon. My leader has indicated to the two other party leaders that our bottom line on this subject is the establishment of an all-party committee to deal with this issue. Apparently agreement cannot be reached on this point. Therefore I table the following motion under standing order 41:

"This House, while reaffirming its support for the provision of French-language services where numbers warrant, and while confirming the French Language Services Act, 1986, was not intended to apply to municipalities, recognizes the elevated—"

The Deputy Speaker: Point of order.

Interjections.

The Deputy Speaker: We are on a point of order.

**Hon Mr Ward:** Standing order 41 makes provision for notice of motion and the member can table his notice of motion for his Opposition Day. I do not think it requires that it be read in the House.

Mr Eves: With all due respect to both the Speaker and the government House leader, I did not know the government House leader had become the Speaker. I thought it was for the Speaker to rule on whether a point of order was in fact a point of order—and there is no point of order, as I understand it in the nine years that I have been here, on a point of order. I will finish with my point of order and then the government House leader can comment.

It was not intended to apply to municipalities—

The Deputy Speaker: I am being told that it is not the standard practice to read the resolution. You may table it if you want, and under the opposition day debate it will be taken up at that time and it will be read, discussed and debated.

**Mr Eves:** The motion has in fact been tabled with the Clerk and with the Speaker's office as well. Open government—no walls, no barriers.

The Deputy Speaker: Did the member for Lanark-Renfrew finish his speech?

**Mr Wiseman:** I adjourn the debate.

**The Deputy Speaker:** Any questions and comments?

Mr Wiseman: It being six of the clock, I adjourn the debate.

# 1802

The House divided on Mr Wiseman's motion, which was negatived on the following vote:

Ayes 1; nays 48.

Hon Mr Ward: Mr Speaker, I would seek unanimous consent to extend this day's sitting for another five minutes to complete the business that is before us.

Agreed to.

The Deputy Speaker: Since the member for Lanark-Renfrew moved the adjournment of the debate and since that was lost, will he want to continue? If not, questions and com-

ments on the member's statement? If not, do other members wish to participate in the debate? If not, would somebody wish to adjourn the debate or are we ready for the vote? The Treasurer not being here to close the debate—

Hon Mr Ward: I move government notice of motion 29.

The Deputy Speaker: I would like to remind the government House leader that we have not even voted on the last motion. I think we should dispose of it before we proceed with the next item.

As the Treasurer is not here, I shall call the vote on th Treasurer's motion.

Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

The House adjourned at 1808.

# ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

# Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)
Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

**Iter**, **Hon Charles**, Minister of Community and Social Services (York North L)

Slack, Hon Kenneth H., Minister of Tourism and Recreation

(Muskoka-Georgian Bay L)
Bossy, Maurice L. (Chatham-Kent L)

Bradley, Hon James J., Minister of the Environment

(St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of

the Whole House (Oshawa NDP)
Brown, Michael A. (Algoma-Manitoulin L)

Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

Charlton, Brian A. (Hamilton Mountain NDP)

hiarelli, Robert (Ottawa West L)

Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills

Development (Renfrew North L)

cooke, David R. (Kitchener L)

looke, David S. (Windsor-Riverside NDP)

ordiano, Joseph (Lawrence L)

Cousens, W. Donald (Markham PC)

unningham, Dianne E. (London North PC)

ureatz, Sam L., Second Deputy Chair of the Committee of the

Whole House (Durham East PC)

'urling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

akins, John F. (Victoria-Haliburton L)

dighoffer, Hon Hugh A., Speaker (Perth L)

lliot, R. Walter (Halton North L)

Alston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

pp, Herbert A. (Waterloo North L)

ves, Ernie L. (Parry Sound PC)

arnan, Michael (Cambridge NDP)

aubert, Frank (Scarborough-Ellesmere L)

awcett, Joan M. (Northumberland L)

erraro, Rick E. (Guelph L)

leet, David (High Park-Swansea L)

ontaine, Hon René, Minister of Northern Development

(Cochrane North L)

ulton, Ed (Scarborough East L)

urlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L)

Hampton, Howard (Rainy River NDP)

Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of

Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Service (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation

(Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

# **CONTENTS**

# Tuesday 27 March 1990

	Mr Sweeney
lcohol advertising	Children's mental health services
Mr Kormos	Mr Eves
idney Month	Mrs Caplan
Mr Cousens	Sexual assault
arrell Rolls	Mr Adams
r Ballinger	Mrs Wilson
rotection for home buyers	Protection for home buyers
Mr Farnan	Mr Farnan
icensing of motor boat operators	Mr Sorbara
Mr McLean	Landfill site
Robert D. Loree	Mr Cureatz
Mr Elliot	Mr Peterson
funicipal finances	<b>Minimun wage</b>
Miss Martel	Mr Neumann
kills training	Mr Phillips
Mrs Cunningham	St Elizabeth Nursing Home
ood banks	Mr Mackenzie
Mrs Fawcett	Mr Phillips
Wits I aweek	Assistance to farmers
Statements by the ministry	Mr Villeneuve
	Mr Ramsay
Iternative dispute resolution	Prescription drugs
Mr Scott	Mr Owen
nkage projects	Mrs Caplan
Mr Conway	Toronto area transportation
	Ms Bryden
Responses	Mr Wrye
nkage projects	
Mr R. F. Johnston	Petition
ternative dispute resolution	
	Temagami district resources
Mr Kormos	Temagami district resources
nkage projects	
nkage projects	Mr D. R. Cooke
Mrs Cunningham lternative dispute resolution	Mr D. R. Cooke  First reading
Mrs Cunningham lternative dispute resolution	Mr D. R. Cooke
Mrs Cunningham lternative dispute resolution	Mr D. R. Cooke  First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan
Mrs Cunningham  Iternative dispute resolution	Mr D. R. Cooke  First reading  Planning Amendment Act, 1990, Bill 117 184
Mrs Cunningham  Iternative dispute resolution	Mr D. R. Cooke  First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan
Mrs Cunningham  Iternative dispute resolution	Mr D. R. Cooke  First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan
Mrs Cunningham  Iternative dispute resolution	First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan Agreed to
Mrs Cunningham  Iternative dispute resolution	First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan Agreed to
nkage projects	First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan Agreed to
nkage projects	First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan Agreed to
nkage projects	First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan Agreed to
nkage projects	First reading   First reading
nkage projects	First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan Agreed to 184  Government motion  Interim supply, resolution 29 184 Mr Cousens 184 Mr D. S. Cooke 187 Mr Laughren 193 Mr Wrye 193 Mr Wrye 193 Mr Kormos 193
nkage projects	First reading   First reading
Mrs Cunningham  Iternative dispute resolution	First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan Agreed to 184  Government motion  Interim supply, resolution 29 184 Mr Cousens 184 Mr D. S. Cooke 187 Mr Laughren 193 Mr Wrye 193 Mr Wrye 193 Mr Kormos 193 Mr Kormos 193 Mr McLean 194 Mr Villeneuve 198
nkage projects	First reading
Mrs Cunningham  Iternative dispute resolution	First reading  Planning Amendment Act, 1990, Bill 117 184 Mr Farnan Agreed to 184  Government motion  Interim supply, resolution 29 184 Mr Cousens 184 Mr D. S. Cooke 187 Mr Laughren 193 Mr Wrye 193 Mr Wrye 193 Mr Kormos 193 Mr Kormos 193 Mr McLean 194 Mr Villeneuve 198
mkage projects Mrs Cunningham  Iternative dispute resolution  Mr Sterling Mr Jackson  Oral questions  ealth concerns at schools Mr B. Rae Mr Conway re tax 177 Mr B. Rae Mr Mancini vestment in Ontario Mr Brandt Mr R. F. Nixon Ourt security Mr Brandt Mr Brandt Mr Brandt Mr Brandt Mr Brandt	First reading
mkage projects Mrs Cunningham  Iternative dispute resolution  Mr Sterling Mr Jackson  Oral questions  ealth concerns at schools Mr B. Rae Mr Conway re tax 177 Mr B. Rae Mr Mancini vestment in Ontario Mr Brandt Mr R. F. Nixon Ourt security Mr Brandt Mr Scott  178  Mr Brandt Mr Scott	First reading

Other business	Adjournment	
Events in Eastern Europe	Alphabetical list of members	(
Mrs Caplan Mr B. Rae		
Mr Brandt Mr Fleet		





7 90

90

# egislative Assembly Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Nednesday 28 March 1990

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

# Assemblée législative de l'Ontario

Deuxième session, 34e législature

# Journal des débats (Hansard)

Le mercredi 28 mars 1990



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

# **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

# Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario. La liste des députés appartenant au Conseil des ministres et des adjoints parlementaires ainsi que celle des députés appartenant à des comités y figure aussi.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 065-2150

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday 28 March 1990

The House met at 1330.

Prayers.

# **MEMBERS' STATEMENTS**

# SOCIAL ASSISTANCE

Mr Allen: In his answer to my leader's question on Monay on the elimination of government funding to food banks, he Minister of Community and Social Services seemed stranely untroubled by the effects of his action. News that some mergency food services in Toronto and elsewhere were already eing forced to reduce their activity as a result of his move, espite increasing demand, did not move him in the slightest.

The minister calmly proclaimed that he had taken the noney away because he wanted to put it into his long-term forms of social assistance to help people get off welfare and ecome independent. A good objective, but surely the minister an see that what he is saying is that the hungry should now go ungrier so that at some unknown point in the future they may njoy full stomachs. This is the old strategy of making the poor ay for the solutions to poverty contrived by the well-off.

If the minister is confessing that he does not have enough noney to pay for programs to end hunger in Ontario, why does e not also confess that his government remains one of the few overnments in the western world without a net wealth tax? Why is this government not using the wealth of those whose conomic activity earns them booming millions and whose conomic activity spins off the growing poverty in our time and lace?

A one per cent wealth tax could raise as much as \$2 billion, has been calculated, in Ontario alone. The solutions to hunger nd poverty in Ontario should be paid for out of our wealth, not tall by our poor.

# GOVERNMENT'S AGENDA

**Mr McLean:** My statement is for the Treasurer and it conerns his attempt to blame the opposition for his government's ailure to control its own agenda.

During yesterday's debate on the Treasurer's resolution on nterim supply, he blamed the opposition for delaying passage of his resolution. He blamed the opposition for not rubbertamping a resolution that would result in the expenditure of 38.4 billion. He has tried to blame the opposition for a one- to wo-day delay in the issuing of welfare and family benefit cheques to the needy and the poor.

The Treasurer should have introduced his resolution on the irst day of the current session; instead, he chose to wait in the nopes that we would give it speedy passage without any meanngful discussion or input. When this failed to happen, he tried o blame the opposition just so his government could earn a ittle interest at the expense of the poor and the needy in On-

He likes to blame the opposition for his government's failure to control its own agenda. This is the same Treasurer who has introduced or increased 32 taxes since 1985. This is the same Treasurer who has increased the per capita debt for every man, woman and child in Ontario to \$4,159 from \$2,300 in 1985 and increased the debt of the province from \$28 billion to over \$41 billion. This is the same Treasurer who blames the

opposition for not rubber-stamping legislation that could see the expenditure of \$8.4 billion without any meaningful discussion. Shame on the Treasurer.

### **BUFFALO FARMING**

Mr Adams: I have often spoken in this House on the diversity of agriculture in Peterborough riding. I frequently point out that the riding is a microcosm of Ontario in many respects, with a farming community which includes dairy, beef, hogs, chickens, sheep, goats, vegetables, bees, a variety of cereal crops and so on. But I think this is the first time I have spoken about Peterborough as an international centre of buffalo farming.

The farm of Dr Willoughby "Wild Bill" Belch in Peterborough is a mecca for buffalo farmers around the world. Bill has 250 animals which he raises for meat and breeding stock. He is a supplier of breeding stock across North America and around the world. Last year, some of his animals were exported to West Germany in a chartered jumbo jet to start a herd in that country. The animals had to pass the most stringent quarantine regulations.

Last winter, Peterborough hosted the seventh annual Canadian Bison Association convention.

I am advised that buffalo meat is better than beefalo meat, which is produced from buffalo-cattle crosses. Bill Belch says that for quality and taste there is no comparison. He says the only problem with buffalo is that they are rather wild, but that it is worth a little extra trouble to sit down to a real steak.

Another special contribution of Peterborough to the economy of Ontario: world-class buffalo ranching.

# SEXUAL ASSAULT

Mr R. F. Johnston: I would like to read from "For the Record" in the Globe and Mail today: "A 30-year-old Scarborough man has been charged with sexually assaulting a 10-year-old girl early yesterday. Police said the girl was not seriously hurt in the incident..." and it goes on.

I understand the need to have concise reporting; I understand the need for the police to try to distinguish between people who are seriously physically hurt when a rape or a sexual assault takes place. But the kind of language that diminishes the effect on a 10-year-old child of a sexual assault, by saying she was "not seriously hurt," when we have no idea how serious that impact will be on that child for the rest of her life, is not helpful kind of language.

It is not just the Globe and Mail that does this. I am sure a number of us do it unconsciously from time to time. It certainly happens in the judiciary, as we see from time to time. I raise it today to say that I did not want this to pass, having noticed it myself this morning, to say that we all have to be much more careful about how we deal with things like sexual violence in terms of its long-term impact on individuals and not to have facile kinds of statements like this being brought forward in our papers, in our courts or even here in the Legislature.

# LITERACY

Mrs Marland: The year 1990 has been designated by the United Nations as International Literacy Year, a time for worldwide action to help wipe out illiteracy.

We used to think there was no such problem in Canada. After all, every child has the opportunity to go to school. Now we know better. In 1987, a survey revealed the shocking information that more than one in five Canadians cannot read, write or do simple arithmetic well enough to cope with a workaday life. They cannot read their child a bedtime story, understand the directions on a bottle of medicine, fill in a job application or even travel on subways or buses, where they have to read street names.

The feeling of isolation and alienation has a human and social cost. Forty per cent of the inmates in Ontario jails are functionally illiterate. More than three quarters of illiterate people in this province were born here and went through the school system here. Illiteracy costs business at least \$4 billion a year in accidents, errors and lost productivity. It also jeopardizes our ability to compete internationally. In Korea 98 per cent of the population is functionally literate; in Ontario only 76 per cent.

Everyone including government, business and the educational system must work together to eliminate this problem. We can conquer illiteracy, and we must.

1340

#### FERNDALE PUBLIC SCHOOL

Mr Dietsch: It is with great pleasure that I rise today to bring to the attention of the members of this House a large number of visitors, some of whom are sitting in the gallery. Two hundred students representing grades 7 and 8 classes from Ferndale Public School in St Catharines have made the trip here today to tour the Legislature and learn more about its history and its legislative process.

The school has an extremely active and extensive civic affairs program which creates a better understanding for its students with regard to the workings of the different levels of government. The program is in its first year as part of the history credit. It includes such things as mock council meetings and excursions to Parliament Hill in Ottawa, which 104 of these students present today are looking forward to in June.

The school's principal, Al Unwin, and a group of teachers including Sandie Timco, Mai Mellikov, Tom Austin, Peggy Thorne, Dennis Goring and Sue Salvas are accompanying the students on today's tour, which earlier today included a visit to SkyDome.

In closing, I would ask that my colleagues offer our visitors a warm Queen's Park welcome, and I commend Mr Unwin and Mrs Thorne, their co-workers and the students for the development of and participation in such a valuable program.

# **HYDRO SERVICES**

Mr Kormos: Back in mid-February down in Welland and Thorold, the communities were struck by a really incredible ice storm that had disastrous effects for large numbers of people. Among those impacts was the loss of hydro services, not just for hours but indeed for days. People and families suffered during some of the coldest weather of the winter without heating being available to them and with their fridges and freezers no longer working, losing large amounts of food. It was beyond mere inconvenience. It was a costly and risky experience for large numbers of people in Welland and Thorold.

The people from those communities have asked me to express their gratitude to the many Hydro workers, people like Jim Brown, Charlie Dixon, John Harper, Ron Holmes and Dave Smythe, who worked long and hard, hour after hour, getting the hydro services returned to normal as quickly as they could. At

the same time, they recognize that this was a very costly experience for the Welland Hydro-Electric Commission. It going to result in an unforeseen cost in the hundreds of thousands of dollars. That cost is necessarily going to have the passed on to hydro consumers who can ill afford any more rate increases.

While they have asked me to express their gratitude to the workers who put the hydro back into operation as quickly a possible, at the same time they have asked me to express the concern to this government in the hope that some assistance some aid, will be made available to them to offset the impact control this particular disaster.

# KINDERGARTEN

Mr Jackson: I would like once again to bring to the attention of the Minister of Education the inadequacy of the provincial funding set aside for the kindergarten initiative in higovernment's announcement in the 1989 throne speech.

The Metropolitan Toronto School Board has determined if would cost \$47 million to launch full-day senior kindergarter. This startup cost includes money for portables, renovations and classroom equipment. It represents almost half of the \$100-million capital fund announced for both junior and senior kinder garten programs for the entire province. In addition, it would cost this board \$24 million in annual operating costs.

More school boards would embrace this program if the province would provide the necessary funding for salaries and accommodation, but it is clear that the Liberals are not prepared to do this.

The Waterloo County Board of Education has voted to asl the provincial government if it can opt out. When fully imple mented, junior kindergarten would add \$28.7 million to it budget. The Perth county and Carleton boards have also questioned whether they can afford this program.

The province has raised expectations about early childhood education without providing the dollars. Property taxpayers simply cannot afford another round of double-digit tax in creases. We agree with Metro Toronto School Board Chair Mat Waese, who said:

"Trustees have to weigh the ever-increasing demands for more services and programs against their responsibilities to contain taxes. With financial assistance from Queen's Park, this program would be feasible. But without any funding, it becomes a very tough decision for all of us."

# AGNES MACPHAIL

Mr Faubert: I know that on Monday colleagues from al parties spoke in this House on this matter, but I feel I would be greatly remiss if I did not add my voice to the tribute to Agnes Macphail and recognize that the 100th anniversary of her birth occurred last weekend.

When Agnes Macphail was one of the first two womer elected to this Legislature in 1943, I had the privilege of meeting her many times, as my mother worked as her secretary here at Queen's Park. After school, my brother and I would walk down from De La Salle up on Avenue Road to visit my mother in the Legislature and we would go to her office to pick up the gallery pass.

Miss Macphail would always spend a few minutes talking to us before going into the House, and I will always remember how her severe appearance contrasted so dramatically with her private personality and how warm a person she was to us of how she lectured us in a friendly way when we told her that the

wo most impressive speakers in the Legislature at that time were Joe Salsberg and Alex MacLeod.

Other speakers have referred to her record as the first voman elected as a member of Parliament and the first Canadian woman delegate to the League of Nations, how she was considered such a radical for her day and how she argued o passionately for a department of peace or that the priority of nembers should be people rather than party, or that minority governments are a good thing because they are the ones that orce governments to bring forward forward-thinking legislation—

The Speaker: The member's time has expired. I am sorry.

# STATEMENTS BY THE MINISTRY

# LITERACY

Hon Mr Conway: In International Literacy Year, Ontario faces the critical challenge of meeting the needs of many of its people for training in the basic skill of literacy. It is important to remember that literacy not only opens the door to personal development, but it is also the base upon which all future education and training opportunities are built. To effectively meet this challenge, it is vital that we provide a wide range of flexible and creative programs that can be tailored to meet the needs of individual learners. This can only happen through effective partnerships among governments, educators, community groups, unions, employers and volunteers. Action at the local evel by these partners is a key to increasing literacy across Ontario.

I am pleased to announce today that the Ontario government will provide a total of more than \$2 million to fund 94 literacy projects in workplaces and communities across the province; 25 incentive grants totalling more than \$1 million will go to organizations that are involved in the delivery of literacy programs in the workplace. These organizations include community groups, colleges of applied arts and technology and school boards. The grants will help these organizations develop greater expertise in delivering literacy programs through projects such as training literacy instructors, producing curriculum materials and exploring innovative ways of providing literacy training in the workplace.

In addition, incentive grants for workplace literacy totalling \$175,000 will go to 10 employers to help provide effective training for employees in basic skills. Each employer has made a commitment to continue operating the program beyond the two-year period in which it is eligible for funding.

# 1350

A further 59 projects are receiving grants totalling \$754,000 from the province's International Literacy Year fund and the access fund. The International Literacy Year fund will assist community groups with projects to develop and support the literacy field in Ontario. These projects include training literacy instructors, developing relevant resource materials, building partnerships through conferences and promoting public awareness about literacy. The access fund grants will improve services for people with disabilities by assisting in the development or purchase of special learning and resource materials and special equipment. As well, some of the grants will support the improvement of access to the buildings and rooms where literacy training is currently being offered.

There is a growing awareness that people will keep coming back to education and training throughout their lives. As we move into this era of lifelong learning, we must all ensure that Ontarians have the skills they need to be full participants in our province's future. I believe that these literacy grants are an important step in making this possible.

# SMALL BUSINESS

Hon Mr Kwinter: On behalf of my ministry, I am pleased to announce that the 1989 report on small business in Ontario is now available. The report details emerging trends and provides statistics on growth and job creation in Ontario.

There are now more than 300,000 small businesses operating in Ontario. Between 1978 and 1987, small business created almost 75 per cent of all of the new jobs in the province, and in a one-year period, 1988-89, more than 160,000 new companies were registered or incorporated here. The number of people who were self-employed grew by 14 per cent. Across Canada, in the private sector, small firms now employ more people than firms that employ over 500 people.

The report was produced for the committee of parliamentary assistants for small business. This committee is chaired the member for Oakville South. The publication provides the basis from which the committee can analyse small business issues and concerns. At the same time, by keeping a finger on the pulse of this important sector, it allows ministry staff to fully understand small business needs and, as a result, serve our clients better.

The book details the world of the Ontario entrepreneur. It finds that a quarter of new businesses are headed by women, that the average age of a self-employed business person is 44 and that half of all new business ventures are started without outside financing. This year's report also finds that approximately 50 per cent of all new ventures are incorporated and that these incorporated businesses generate higher earnings and employ more people than unincorporated businesses.

In addition, the publication provides new data on business failure in Ontario, reporting that slightly less than half of all startups fail in the first three years. This is much lower than the generally acknowledged 80 per cent failure rate.

The report also highlights the economic impact of small business and gives a comprehensive picture of the importance of this sector. For example, at the end of the 1970s, small firms accounted for about half of all new jobs. In 1987, firms with fewer than 100 employees accounted for 90 per cent of new jobs in Canada. In Ontario, the equivalent number is 75 per cent.

The role of government in the small business sector is also analysed. The report traces provincial government programs directed at small business from their inception in 1984 to the present. It describes the advocacy program, small business development corporations, new ventures, counselling programs, as well as the Ministry of Industry, Trade and Technology self-help centres.

Last year, my former parliamentary assistant, the member for Mississauga West, initiated a tour of seven cities in the province to seek out the views of small business owners on training. Not surprisingly, the preliminary findings show that small businesses that have invested in training have enjoyed significant benefits such as lower staff turnover and better staffmanagement relations.

In the four years since we first issued this report, we have found that the school system has been one of its biggest users. The report will be used by educators at all three educational levels as reference material for several new courses in entrepreneurship. It will also be used by policymakers, journalists and speechwriters and will continue to play an important role in generating awareness of small business.

One of the interesting findings in the report was that the most successful entrepreneurs spend at least an hour a day reading. May I suggest that this book might be an excellent choice for all members in their reading hour?

# RESPONSES

# LITERACY

Mr R. F. Johnston: I would like to start off by responding to the Minister of Colleges and Universities, Skills Development, and Education, who is taking what could be seen as the dripping-tap approach to funding these days. Little dribs and drabs come out now and then, and gradually, I suppose, the glass will fill some time before the election. That is the way it seems to be happening here.

On this matter to do with literacy, it is happening the same way. We had our major announcement from this minister some months back, at the beginning of this important year in literacy worldwide, and we thought perhaps that was it, that was all we were going to see from the minister at that point. But we should have known better; that we would see certain parts of it come back in different forms several times before the election and that we would also see new things brought out a bit at a time.

I am pleased with the dribs and drabs that have come down today. They are not drab, even though they have come out in little dribs. I just want to put this in context, though. Although this year there seems to be an infusion of some dollars into things other than just straight workplace literacy, last year this government froze all its community grants, did not increase donations to any new groups in the province or to any of those that were existing and only made moves in this workplace literacy side of things.

This actually raises some very important questions about what the government's intentions are. The lack of co-ordination around literacy matters these days is mind-boggling; the lack of priorities as established by the government is also something which is very unclear. You will note from the minister's statement that those groups delivering literacy programs in the workplace include community groups, colleges, school boards and private employers themselves. The government itself does not seem to have come to grips with just who is supposed to do what, but instead is giving out these little bits of money to each of these groups to take it from their particular angle, rather than having an overview of this.

I would just say to the minister that we look forward to his next set of announcements. I think it is particularly helpful that access money was brought into this for disabled individuals who are illiterate. That is a useful addition. The other matter, the larger overview of literacy programming and co-ordination, is something which presumably we will see before the election comes as well.

# SMALL BUSINESS

Mr Laughren: I want to respond briefly to the Minister of Industry, Trade and Technology concerning his statement on the state of small business in Ontario. One of the lines in his statement states that "the publication provides new data on business failure in Ontario, reporting that slightly less than half of all startups fail in the first three years. This is much lower than the generally acknowledged 80 per cent failure rate." If 50 per cent fail in the first three years, perhaps that is what the report means when it states that entrepreneurship needs to become known in high schools, which can prepare young minds for the thrills and

demands of entrepreneurship. I am nervous that this is the kind of thrill the minister has in mind.

I did want to comment on one part of the report. It has to do with the whole question of a training levy. The report appearance to come down in favour of a levy but simply to discuss it. For those who do not know, the report of the federal Advisory Council on Adjustment by Mr de Grandpré suggested that there be a payroll levy which employers would pay, and if they spen the money on training, it would be refunded to them. It would be a very neat way of providing more training for paid employees.

I am not happy that the report does not conclude that this is the direction we must go because it does state that the Canadian Federation of Independent Business found that the training effort increases as firms grow bigger, rising from 66 per cent if firms with fewer than 20 employees to 80 per cent of those with more than 50 employees. There seems to be a relationship between size and training, which perhaps should not surprise us.

I would encourage the minister to take a serious look at the whole question of a levy for training purposes, particularly if the small business community.

1400

# LITERACY

Mr Jackson: I would like to respond to the Minister of Education's third announcement in as many days, which I have enjoyed the privilege of hearing about for the first time in the House. This is quite unlike the Liberal government. Normally we pick up the Toronto Star early in the morning and we car generally rely on getting these announcements.

However, one star paper, the Windsor Star, will be covering extensively these three educational announcements this weekend with the government's coming Liberal convention to deal with the issues of lifelong learning, this cradle-to-grave infatuation with education that our Premier seems to be fond of But he does not seem to be as fond of funding the education. I see by the most excited look on the Treasurer's face that there is good reason why he has not freed up the coffers in order to provide sufficient funding for these educational programs.

But this weekend's Liberal convention is going to be an interesting backdrop.

**The Speaker:** Order. I am sorry to interrupt, but there are too many private conversations.

Mr Jackson: Perhaps it is because they have already seen the agenda for the Liberal convention this weekend and they know that this government is positioning itself with these series of paper election announcements. We have seen them before. We saw them before the 1987 election, we saw them before the 1985 election and here we have them trotted out again in preparation for another election.

Mr Breaugh: Before the 1977 election, before the 1975 election.

Mr Jackson: Yes. I am only off a decade.

The fact remains that the minister should be considering some valid questions at this week's convention. He should be considering the fact that the Ottawa Board of Education is cancelling the summer semester for its adult high school program because of lack of funding. If he really has the commitment to literacy and improvement of these programs, he would provide the necessary funding.

The minister is conducting secret discussions on the future of adult and continuing education in this province. The Ontaric

'eachers' Federation and the trustee groups cannot get a traight answer from his government, let alone find the new egulations for adult and continuing education, and yet we have wonderful statement about literacy.

In the throne speech announcement of 1987, when the overnment made reference to reduced class sizes, computers nd new textbooks, its transfer payments clearly established addgets for each of those items. Yet in this last year with transfer payments, they mysteriously disappeared. What is it that this overnment is trying to hide? Is it still trying to hide the fact hat it cut back its learning materials program? Are those really he soft underpinnings of today's announcement about this overnment's real commitment to literacy?

I leave the minister with those questions because I know hat he will be wanting to raise them at this weekend's convention in Windsor and, quite frankly, I think the city of Windsor is poking forward to having all these Liberals in order to tell hem about these concerns.

# SMALL BUSINESS

Mr Sterling: I want to reply briefly to the statement of the Ainister of Industry, Trade and Technology. Because my time is imited, I want to refer him to page 79 of his report, where it ays that small businesses will pay a disproportionate share of he higher level of payroll taxes. It also says that the effect of he employer health tax, along with other tax increases, will aise payroll taxes this year 25 per cent in 1990, as compared to 989. That is the kind of friend of small business we have in his government.

I also want to point out that on the next page, page 81 of the eport, it says that unemployment insurance premiums, the ederal payroll tax on small business, decreased in 1989 to 2.6 per cent of the payroll tax. What we have is that combined payroll taxes in this province now amount to 8.7 per cent of the payroll in this year, compared to 5.9 per cent in 1983.

What great friends of small business the Liberals are. Are hey not just creating a tremendous atmosphere for small business in this province? I only ask small business to take the hour o read this book and it will find out indeed what great friends he Minister of Industry, Trade and Technology and the other gang of thieves are for the small businessman in Ontario.

The Speaker: I think the member for Carleton will certainy consider his words more carefully. The member for Carleton wishes to withdraw?

**Mr Sterling:** I would like to withdraw the word "thieves." do not know what other synonym would be appropriate.

# VISITOR

The Speaker: If I could have the attention of the members, have just been advised that we have a visitor in the lower east gallery, a former member of Parliament, the Honourable Martin D'Connell. I know you would want to join in welcoming him oday.

# **ORAL QUESTIONS**

# **HYDRO RATES**

Mr B. Rae: I have a question for the Minister of Natural Resources, and the Minister of Energy as well, concerning the statements that have been made by the chairman of Ontario Hydro about what he expects hydro rates to be, heading into the 1990s. Mr Franklin is talking about rate increases. Last week it was 12 per cent, now he is talking about 15 per cent. That is a 25 per cent increase in the space of one week of speculation.

I wonder whether the minister can tell us why the government has not given the Ontario Energy Board the clear power and authority to set Hydro's rates so that we will not have Hydro all on its own setting its own rates. Why not give the energy board the same power it has with respect to Consumers' Gas, the same power it has with respect to other utilities? Why not give some power to the energy board to finally begin harnessing Ontario Hydro?

Hon Mrs McLeod: I think the honourable member is well aware that we have in past years been asking the Ontario Energy Board to review the rate proposals that Ontario Hydro makes and to advise on its analysis of the factors in the costing that Hydro has proposed in coming to its conclusions about those rates.

I think the honourable member is also aware that there is a review of the mandate of the Ontario Energy Board, and one of the issues under review is the role that the energy board should have in relationship to Ontario Hydro. I would also suggest that there is an appointed board of Ontario Hydro that takes very seriously its own responsibilities for provision of secure, reliable power at reasonable cost.

Mr B. Rae: It was no less an authority than the member for Niagara Falls who, when he was in opposition, pointed out to this House on many occasions that if you heated your swimming pool with an electric heater, you would get a reduction because of bulk use. In fact, the volume of your use would give you a reduction. If you used your stove to boil an egg, you would not get a reduction.

I would like to ask the minister, why does she not, as Minister of Energy, submit to the energy board the clear need for the energy board to give a break to the small consumer, to give a break to the people who use less energy and who conserve energy, rather than to the people who consume too much energy? Why not change the rate structure?

Hon Mrs McLeod: The honourable member again may be well aware that one of the issues we are very concerned about is energy efficiency in this province. I think it is a concern that is being accepted as an important responsibility by Ontario Hydro. In fact, one of the factors that affects rate increase proposals for 1991 is the inclusion of incentive funds to encourage energy efficiency. Quite clearly that is a focus we have. One of the encouragements we would make to consumers is that they carry out the energy efficiency measures that would in fact bring about a reduction in the cost of energy through that saving in consumption.

The honourable member will also be aware that we have recently introduced a discussion paper on global warming. One of the factors as an Energy ministry that we are concerned about in that paper is energy efficiency measures, and a review of rate structures that can be effective in bringing about energy efficiency is one of the focuses of that paper.

# 1410

Mr B. Rae: The fact remains that the Ontario Energy Board does not have the power to set rates, and the fact is that this government has no position on bulk use any different from the position of the Ontario Tories for 42 years. They have not changed an iota of energy policy either with respect to the energy board or with respect to the question of bulk use.

I would like to ask the minister a final question. Does she not now see the need for some clear rate relief for lower-income people? I can tell the minister that the people in her riding who are going to be getting a 10, 12, 14 or 16 per cent increase—and

we do not know how long Ontario Hydro plans to hit us with this—are going to have a very hard time. The only kind of conservation they are going to be able to practise is to heat their homes less, to live in far greater difficulty and to have to go without other things.

The Speaker: The question?

Mr B. Rae: Does she not see the need for rate relief for low-income people and for talking to the Treasurer about the need? If he is not only going to collect the GST—

The Speaker: The minister. Order.

Mr B. Rae: —why collect the GST through the rate structure?

The Speaker: Order.

Mr B. Rae: We should be giving people a rebate for it.

Hon Mrs McLeod: I certainly concur with the honourable member that the question of the cost of electricity is an extremely important one for residential users, as it is for industrial users, in the province of Ontario. But I do think that the honourable member perhaps confuses somewhat the issue of the rate increase proposed by Ontario Hydro to cover the costs incurred in providing electricity in Ontario with the imposition of a goods and services tax by the federal government, which in fact, if carried out, would bring about a doubling of the cost of electricity in the proposed increases for next year for residential customers. That has to be a very great concern. I think the fact that electricity would be taxed for the first time is an issue that we should all be raising in light of that concern.

# TIRE TAX

Mr B. Rae: I have some questions for the Minister of Revenue concerning the secret negotiations that went on for several months with regard to the tire tax, the tax being paid by car renters. I am interested in how the Remo rate of 8.3 per cent was established.

It is clear from the correspondence which we have received that the minister's senior manager of legislation started out by saying—he is writing to Mr Kenmir of the Associated Canadian Car Rental Operators—that the minister had indicated that his initial calculations produced a figure of 8.1 per cent to 8.2 per cent that would be applied. Mr Kenmir wrote back and said, "Our calculations may have been understated, and a more realistic figure of 8.3 per cent would appear to be the correct figure to use."

You will be surprised to hear, Mr Speaker, that upon receiving that new figure, the government bargained hard and came up with a figure of 8.3 per cent—

The Speaker: And the question?

Mr B. Rae: —which was the figure suggested by the industry.

On 17 July 1989, the rate was set and the agreement was made. I would like to ask the minister this question: Can he tell us how his ministry arrived at the 8.3 per cent figure?

The Speaker: The minister.

**Mr B. Rae:** Can he tell us what was the legal authority for these negotiations?

The Speaker: The question was well put.

Hon Mr Mancini: The matter was well explained yesterday.

An hon member: Remo explained it.

**Hon Mr Mancini:** Remo explained it very well yesterda The member is right.

I want to say to the Leader of the Opposition, the indust was provided with three alternatives to collect the tire ta Every alternative provided to the industry was fair. Confusio unfortunately, surrounded one of the alternatives because tl industry did not indicate on its forms the differentiation b tween the eight per cent sales tax and the 0.3 per cent which was to apply only to the tire tax. Because of that confusion, th option is no longer available to the industry.

The tire tax will be collected with the other two alternative as has been described in a circular which was provided to the industry. Nothing was done in secret. The circular is made public to anyone who is interested, and the Leader of the Opposition is not correct in his assumptions.

Mr B. Rae: If it was not done in secret, why was an ar nouncement not made with respect to what the arrangemen were? Why was it that when our staff phoned the ministry were told that we could not get the agreement and that we would have to apply under freedom of information to get the agreement? That is what we were told. We were told that yested by the people who are responsible for tax policy.

I repeat my question: Can the minister tell us what the bas of his calculations was when he made this secret deal, ho much money he has collected and what the legal authority is for

the deal which he arrived at?

Hon Mr Mancini: You do not need a freedom of information request to obtain a circular that was sent to the industry an anyone else who was interested. This circular is one of hundreds that is sent out by the ministry in order to—

Mr R. F. Johnston: Hundreds?

**Hon Mr Mancini:** Maybe thousands, I say to the member for Scarborough West, who is vitally interested in this.

The circular was a follow-up to letters that had been exchanged between the ministry and the industry, explaining the three options it had. It was pointed out on the back of the circular how the matter had to be dealt with. It was clearly pointed out in letters how the industry would be able to collect the money, and because of the confusion that has arisen, it is now down to two options. Nothing was done the way the honourable member suggests, and this information has bee available for months. The honourable Leader of the Opposition knows that.

Mr B. Rae: I am inclined to just let the minister talk rathe than ask another question. But my question remains this: How much money has the minister raised under this tax in comparison with other methods of payment? How did the minister arrive independently, his ministry, at the rate which he established, I presume, of 8.3 per cent? What process of calculation did he go through in reaching that magic Remo rate, what is the basis for it and what is the legal authority for his rate? If it was o great, why did he pull it yesterday as soon as we made public?

Hon Mr Mancini: I will tell the Leader of the Opposition why it was pulled yesterday. Because confusion—if he will have his colleague to his right keep quiet, I will just tell him those people there do not want to hear the answer, but I know you do, Mr Speaker. The industry was clearly told in correspondence that the eight per cent sales tax had to be clearly separate from the 0.3 per cent tire tax. The industry did not make that

distinction clear. Members of the opposition confused the mater even more by saying it was an 8.3 per cent sales tax when in act an 8.3 per cent sales tax has never existed.

Interjections.

The Speaker: Order.

# FRENCH-LANGUAGE SERVICES

**Mr Brandt:** My question is for the minister responsible for rancophone affairs. The minister is probably aware of a resolution that was tabled in this House late last night with respect to the position of our party in connection with Bill 8.

That resolution is in two parts. The first part of the resoluion very clearly states and reaffirms the support of our party for he expansion of French-language services throughout Ontario.

**Hon Mr Scott:** There is nothing as desperate as a lesperate Tory.

Mr Brandt: Second, the resolution calls-

Hon Mr Scott: Oh, Robarts and Davis are gone. You should be ashamed of yourself.

The Speaker: Order.

Mr Brandt: With respect, it was the Attorney General who was asking for questions on Bill 8 yesterday. He is getting a question on Bill 8 today if he will listen.

Hon Mr Scott: I am getting angry. I apologize.

The Speaker: Order. Would the member take his seat?

Mr Brandt: I am glad I got an apology.

Hon Mr Scott: Mr Speaker, I apologize for the interjection. I am so angry.

The Speaker: Order. New question, through the Speaker, please.

1420

Mr Brandt: The second part of the resolution dealt very simply with the concept of an all-party committee to travel the province to get input in connection with the implementation of Bill 8. Is the minister, and the government of which he is a part, prepared to support that particular resolution?

Hon Mr Beer: I appreciate very much the support of the leader of the third party for the principle of Bill 8 and, as he has said, for the extension of French-language services in the

province of Ontario.

As I have said before on this specific issue, I believe there are a number of mechanisms available within this House to deal with the issues that are raised in the motion. I do not think we need a special committee to look at this. I have said often that, as the minister, I would be delighted to discuss the issues of the administration and the implementation of Bill 8 during estimates. I think that would give us an opportunity to look in detail at those various issues. So my answer is that I believe that is the process we should follow and that at this time we do not need a special committee.

Mr Brandt: I would like to advise the minister that I have had conversation with M<sup>me</sup> Soucie, who is the president of l'-Association canadienne-française de l'Ontario, as the minister is aware, as late as this morning. I have had previous conversations with her in connection with some of the valid concerns being expressed by ACFO in connection with the implementa-

tion of Bill 8 as well as with other groups and organizations that have still other concerns that the minister is aware of.

Given the fact that the standing committee on estimates would not give the opportunity for any input from the public, would not allow for any kind of democratic input with respect to concerns that have already been widely spoken of in this province, would the minister shift from his position which is to hear only submissions before the committee dealing with estimates and deal with an all-party committee that would travel the province and take legitimate input on the question of Bill 8?

Hon Mr Beer: I believe that when honourable members gather in committee to review the estimates of a particular ministry, there is in fact a very democratic opportunity to look at the operation of that particular bill. I think that at this time, with the number of issues on the national scene that revolve around language, we should make use of the various approaches we have now in this chamber. The views that individuals are expressing—certainly we are receiving them in letter form and going out in public meetings, and I think that all can be brought to bear.

As I have said on many occasions, if members believe that there are problems with the implementation and administration of the bill, we can deal with that here in this Legislature through question period, through estimates and through the various debates that we have. That is the most appropriate forum at this point in time.

Mr Brandt: With respect, for two and a half years our party has stated its position in connection with the need for input and discussion in connection with Bill 8. There is in fact a great deal of misinformation, as the minister is aware, with respect to this bill. If I could get the attention but not the verbal input of the Attorney General—

Hon Mr Sorbara: You don't deserve his attention.

Mr Brandt: Well, the member says I do not deserve attention for asking for some input from the public in connection with an extremely important bill. I ask again, is the minister prepared to simply listen to the views of many who have expressed a wish to have some input on Bill 8, aside from the estimates committee, moving to an all-party travelling committee which would deal with this question?

**Hon Mr Beer:** I think there are many questions and issues around language policy, around Bill 8, around the future direction of the province and the country with respect to these issues.

I would remind the honourable member that in his motion he talked specifically about dealing with the administration and implementation of Bill 8 and I would say again that that is the proper purview of the estimates process. I think that, as we go about dealing with this issue as political and community leaders, we all know what the principle of Bill 8 is and we know indeed what it covers, and that in our own public discussion in town hall meetings and the like, we can discuss and address these issues.

This is a sensitive time in our country's history. The federal government is launching a series of consultations, but we are responsible for Bill 8 and that is best dealt with within the Legislature in the normal democratic workings of this—

Interjections.

The Speaker: Order.

# CHILDREN'S MENTAL HEALTH SERVICES

Mr Brandt: I have a question to the same minister in his capacity as Minister of Community and Social Services. I want to make the minister aware that for six months now it is my understanding that he has been advised there are some 10,000 children waiting for treatment for mental health in the province of Ontario. Earlier this week he indicated in a statement in response to that particular suggestion that he was waiting for the Maloney report, I believe, before he was going to act.

My understanding is that this report is not going to be ready until June of this year. Is he prepared in fact to do absolutely nothing whatever between now and June, to leave those 10,000 children without services until such time as he receives the report?

Hon Mr Beer: I will reiterate very clearly to the honourable member what I said in answer to the question earlier this week. Indeed we are not waiting. As I explained to his colleague the member for London North, I met with the executive of the Ontario Association of Children's Mental Health Centres and we laid out a number of things that we are going to be doing jointly.

I made very clear the fact that the report of the Maloney committee would be available in June and that it is going to be very important in terms of the future direction that we take. I also set out very clearly that in resolving the issues that face the mental health area, we have got to involve all of those involved in children's services.

If the honourable member would speak with those active in other organizations dealing in children's services, I think he will find that there is a growing consensus that we cannot isolate different compartments of children's services, but we have to work together. There is much that is going on and more will follow the Maloney report, but I think it is very wrong to suggest that nothing is happening.

Mr Brandt: I want to advise the minister that there is also a growing consensus and a very real concern among those who are providing services for children in the mental health field that the budget difficulties they are experiencing at the moment and the uncertainty they are experiencing with respect to their funding is of growing concern to them.

The minister last month received a letter from Windsor and Essex county, and in that letter there was a list of some of the children who require assistance at this time. Let me read to the minister, if I might, from that list: a child, aged two, sexually molested by her father; parents separated, child vomits and displays hysterical behaviour when father visits. Another example from the same letter: child, aged three, exposed to family violence, attacks parents and uses excessive profanity, violent tantrums.

The Speaker: The question?

Mr Brandt: These are but two examples of the many, some 300, that are in that particular report. When is the minister going to provide the assistance that is necessary to provide the help that these children need?

Hon Mr Beer: As the honourable member will know, we have over the past number of years increased significantly the funding to this area. As with many, the demands continue to grow. I think it is interesting, though, that it would be he who would talk to us about the funding that we are putting into the broad area of social services when it is his colleagues in Ottawa who have now capped the Canada assistance plan program and

who will be cutting some \$160 million out of the program; which we would have been using in our programs, including those that are directed at children's mental health.

One of the reasons that we placed this program within the purview of the Ministry of Community and Social Services was so that we could have access to those funds. We have demonstrated up to this point that we are moving dollars into this field. We would like to do more. It would help tremendously if the honourable member would speak to his federal colleagues and urge them not to cut the basic program of CAP, the Canada assistance plan, which is dedicated to helping those who are least able to help themselves.

Interjections.

The Speaker: Order.

1430

Mr Brandt: On behalf of my party I would be delighted to speak to the federal government as soon as I have the time available after speaking to the municipalities, which are concerned about the budget cuts they are experiencing from the Treasurer of this province. As soon as I am done with those discussions, I will take up that other commitment.

Let me say to the minister that in that same letter he received from Windsor-Essex there were three 15-year-olds all of whom have attempted suicide over the past short period of time. There is a growing list of children and young people in this province who frankly have nowhere to go. The number that has been suggested to the minister, and which I believe to be very accurate, is that some 10,000 children are going underserviced or without any service whatever and are on six-month to one-year waiting lists. I suggest that is far too long.

There are many programs this government can cut. This is not one of them. What is the minister going to do about it?

Hon Mr Beer: I think we are in fact doing a number of things about this. I would underline again that we will only resolve these issues when we bring all the players together, when we recognize that the issues facing those dealing in children's mental health and children's aid societies, all of those active in that area, are common and there is a recognition among the players and by this government that we will resolve this by working together and by continuing to put the money where it is most required.

But I must insist that if we are truly going to attack this problem, it is time that the federal Conservative government came back to the table and began to put some money into children's services in the same way we are doing.

Interjections.

The Speaker: Order. New question, the member for-

Interjections.

**The Speaker:** Order. It might be time for a recess if we are not careful.

Interjections.

The Speaker: Order. What a waste of time.

# **ROUGE VALLEY**

Mrs Grier: My question is for the Minister of the Environment. Just about a year ago in March 1989, when the Premier announced plans to solve the greater Toronto area's garbage crisis, the Minister of the Environment was conspicuous by his absence. Just last week when the Premier announced the crea-

ion of an urban park in the Rouge lands, the minister was there, out unusually for him, somewhat inconspicuous.

Can the minister tell us whether this low-key approach reflects the fact that he is ashamed that within the Rouge lands here is a site that has been identified as a potential landfill site and that he has refused to designate that site under the Environmental Assessment Act? Is that why he is not very conspicuous on the Rouge issue?

Hon Mr Bradley: If I were there to take the credit for the announcement that was made, the member would say I was taking credit for it. As I indicated in the House on many occasions, there were some interesting discussions that took place throughout this piece, putting together all the components of the announcement. I indicated, when the member for Mississauga South asked me a question in the House earlier in the week, that I thought I would like the announcement the Premier was making at that time. I indicated that I thought I would be pleased with that announcement, and indeed I am, because I think it is the kind of announcement that has been looked for by the people in that specific area.

I know that the Save the Rouge Valley System group, which I met on a number of occasions and which other members of the government met on a number of occasions, put forward, I think, a very compelling case for as much as possible of the area it asked for to be encompassed by a green belt. I certainly am pleased that announcement was made. I listened to the people who were there as well, who were speaking on behalf of the residents in the area, who expressed a good deal of enthusiasm for the announcement the Premier made on that occasion.

Mrs Grier: I did not hear any reference to the question I posed. We have in this province a rather peculiar practice of allowing logging and mining to continue in parks, but I think this will perhaps be the first occasion when a landfill site or a garbage dump will be considered a nonconforming use in a park. I am not surprised the minister is ashamed of the fact.

Why will the minister not today rule out that site as a possible candidate for a landfill site? Why does he not complete the great announcement that he says he shares in by doing his part to protect the Rouge Valley lands?

Hon Mr Sorbara: Are you volunteering Etobicoke for the site?

Hon Mr Bradley: The member for York Centre makes a very good point. I suspect that no matter what site Metropolitan Toronto or any other community would choose for a landfill site, the member, by nature of being a member of the opposition, would be opposed to it.

I recall very well my years in opposition and that is the role of the opposition: to criticize, no matter what is put forward by the government. So it would be unfair of me to ask the member where she would like garbage from any community in the province to go, because of course that would put her on the spot to say where it should go. "That's not the opposition's job," she would say.

The member is well aware that there will be an environmental assessment of this in terms of the Ministry of the Environment, and other commenting agencies of government will comment on it. There will be a hearing with the Environmental Assessment Board taking into consideration all the environmental concerns related to this, and Metro has put forward—

The Speaker: Thank you. That is a fairly complete answer.

# ONTARIO HYDRO LABOUR DISPUTE

Mr Runciman: My question is to the Minister of Energy. She is probably aware of the results that have just been announced of the vote by the Ontario Hydro union, with close to 96 per cent rejecting the contract with an 85 per cent turnout. I wonder if the minister would be good enough to advise the members of the House and the public what steps she and Ontario Hydro management are taking to prepare for what looks like an increasing possibility of a strike come Sunday.

Hon Mrs McLeod: As I have indicated before, in the House and to the public through the media, my role as Minister of Energy is to work with Hydro to ensure that any eventualities are being considered and that contingency plans are being developed to deal with eventualities that may develop.

I do feel compelled, though, to recognize that there is, even with this recent vote announcement, a collective bargaining process that Hydro and its union are engaged with, and that there is still a focus on the collective bargaining table and on resolution of this issue. But certainly, as Minister of Energy, I have been working with Ontario Hydro to ensure that it is putting contingency plans in place in order to deal with any eventuality, should there not be a successful resolution at the bargaining table.

Mr Runciman: The electrical consumers of this province require a more detailed answer than that if the minister is going to be fair. The nuclear generating stations are going to be shut down initially. They provide something like 50 per cent of the power in this province. The minister herself, I think, has suggested that Ontario Hydro does not have the ability to take up that shortfall. We could be faced with blackouts, shutdowns and serious disruptions within the Ontario economy.

I do not think most of us have the confidence in the management of Ontario Hydro that perhaps the minister has. We can only look at the shutdown of a nuclear facility this winter during a peak period, at running out of oil in the Kingston area during that same peak period, and at the Lambton station now, shut down for annual maintenance turnaround during a possible strike time. I think the minister should give us more specific answers. The people of Ontario deserve more specific answers with respect to what she is doing to prepare for the possibility of a strike.

# 1440

Hon Mrs McLeod: The people of Ontario are certainly going to be concerned about the specific impact of any possible work disruption and disruption in the delivery of electricity service, should that occur, and they are going to want to know what they can expect, whether as individual residential customers or as industrial customers. I am very much aware of the kinds of concerns electricity users will have in contemplating any possibility of a work stoppage. But when the member asks me to give specifics, he makes, first of all, several assumptions in asking for them. In referencing the fact that there could be a shutdown of nuclear stations, he makes an assumption, first, that there will be a labour disruption, and second, that this is the form it would take.

Unless we are in the situation and know what we will be confronted with, I cannot give the member specific information about impact. I can tell him that Ontario Hydro, which manages very effectively the provision of electricity service to people in this province, has been working with its individual utilities, the municipal utilities that actually deliver the power in those communities. The municipal utilities are working with their in-

dividual customers to determine their needs and how to manage the impact.

# **CULTURAL SERVICES**

Mr Miclash: My question is to the Minister of Culture and Communications. As the minister is aware, the Dryden regional office of her ministry was recently closed. What I would like to ask the minister today is what she can tell the residents of Dryden about the future of cultural services in this region.

Hon Ms Hart: I can appreciate the member's strong interest in the service that has been given to Dryden and to other parts of the north by my ministry. I have also heard and seen the uneasiness of the cultural community about these changes that have been taking place. They have brought them to my attention. It does not even take that to know that there would be a potentially negative impact on client service.

We have a consultant in Thunder Bay, as the member would know. That consultant will be spending days in Dryden on a regular basis. I want to say to the member for Kenora that I am watching this very carefully because my top concern is that the clients, the people who are interested in the services of the ministry, get the best possible service in Dryden.

**Mr Miclash:** What I am concerned about is what the minister is prepared to do personally to safeguard the services that were previously provided by this regional office in Dryden.

Hon Ms Hart: As the member for Kenora will know, the two ministries used to be one, the Ministry of Citizenship and Culture. In the process of dividing the two ministries and their regional offices, a report was made to both ministries and action has been taken to divide the offices in the way in which it is hoped—although, as I say, we will be watching it—the best possible service can be preserved. The high level of service to cultural clients is, as always, the priority of this minister and the ministry.

# AMBULANCE SERVICES

Mr Mackenzie: I have a question of the Minister of Health. We have with us today in the visitors gallery, a number of ambulance officers, health care workers and representatives of their union, the Ontario Public Service Employees Union. They are here today, quite frankly, to try to get the attention of the government.

Given the decisions of the Ontario Public Service Labour Relations Tribunal in the Collingwood and Owen Sound disputes that these employees were indeed crown employees, is the minister now prepared to meet with the union to ensure that units currently coming into a strike situation in the province do not have to face the frustration their colleagues in Owen Sound and Collingwood experienced?

Hon Mrs Caplan: As the member knows I am very aware of the recent decisions, so I want to inform him that the ministry will fully comply with the decisions of the tribunal. It is my understanding as well that the Owen Sound ambulance service employees will be back at work as of 29 March at 8 am—that is the information I have—and that the service will operate as a crown agency and negotiate with the Human Resources Secretariat.

Mr Mackenzie: I hope the minister's answer means that the judicial review will be dropped. She will understand that I was talking about those units now coming into a strike situation. Is the minister ready to meet with the union to negotiate a province-wide agreement with all ambulance officers repre-

sented by OPSEU in the interest of more efficient service for all Ontario citizens without the kind of disruption we have experienced to date?

Hon Mrs Caplan: I am pleased to inform the member that the Attorney General's office is making application for judicial review of the tribunal's decisions on both McKechnie and Owen Sound. I would tell him as well that the ministry is constantly monitoring the delivery of ambulance services and makes adjustments to the services as needs and resources are available.

# HOSPITAL FINANCING

Mr J. M. Johnson: My question is for the Minister of Health. As the minister is well aware, a commitment was made to the people of Guelph and Wellington county almost three years ago for much-needed capital construction, including upgrading and expansion at Guelph's two hospitals, Guelph General and St Joseph's. As a matter of fact, the minister even participated in the sod-turning at St Joseph's in 1987.

Now we find that the Minister of Health has completely reneged on her commitment. There will be no funding for Guelph General Hospital or St Joseph's Hospital. However, instead, a brand-new hospital will be built with the same funds some time in the future—perhaps. What will become of St Joseph's and Guelph General hospitals?

Hon Mrs Caplan: I am pleased to say to the member opposite that I recently reaffirmed the commitment the ministry made of over \$58 million to the people of Guelph to provide for acute care services and long-term care services. I sent a letter to both of the hospitals informing them of our decision to establish two committees to see that the process is expedited so that we can meet the needs of the people of Guelph. I want to acknowledge as well the leadership of the member for Guelph in helping the community come to the decision to actively pursue planning for the needs, not only for today but for the future as well.

Mr J. M. Johnson: The minister is completely missing the point as usual. Both of these hospitals have been told on numerous occasions that funding would be forthcoming. They undertook ambitious fund-raising campaigns and had plans and site surveys drawn up, putting much time, effort and resources into these capital construction projects. This government made a promise to the people of Guelph and Wellington county just prior to the 1987 election. The minister reneged on that promise.

This government has no credibility with the people of Guelph and Wellington county. Why should they believe the government now? How are they to know this is not just another empty campaign promise, a commitment to be broken just like the last one?

Hon Mrs Caplan: The member opposite could not be more wrong. I would be happy to share with him correspondence I recently had with both Guelph General and Guelph St Joseph's, informing them of our commitment to meet the health care needs and requirements of the people in the community of Guelph and restating our commitment of over \$58 million to see the development of those facilities. We are moving expeditiously to establish the kind of community-based committee to see that those are planned appropriately and as expeditiously as possible.

# SPECIAL EDUCATION

Mr Daigeler: My question is to the Minister of Education. Recently my colleagues and I met with parents who represent trainable mentally retarded pupils in Ottawa-Carleton. The parents and board representatives appreciate the progress we have made in education for TMR students. However, they expressed concern about older students who are at the lower- to mid-functioning level of achievement. Some of these students could derive significant benefits from attending school beyond the age of 21. May I ask, therefore, whether the minister has looked at this matter and whether he has any plans to permit school boards to provide education beyond 21 years of age for special needs students?

Hon Mr Conway: I want to thank my honourable friend the member for Nepean and others in the Legislature for raising this issue with me. I can tell my honourable friend and the House that I have been looking at this particular issue in education. The issue has been raised not just by members in the Legislature, including my friend from Nepean, but a number of parents and educators have also raised the matter with me. I expect in the not-too-distant future to be bringing forward amendments to the Education Act which will, I hope, address this particular concern, among others.

# 1450

Mr Daigeler: I am pleased that the minister seems to have some rather firm plans on permitting the proposal that I have just mentioned. Can the minister perhaps be a little bit more specific about his plan as to when in fact he might introduce those changes?

Hon Mr Conway: Ministers are always a bit nervous to indicate specific timetables. Looking at the Attorney General, I am reminded I could say the early fall, but I can tell my friend the member for Nepean that we have been looking in the ministry at a number of changes to the special education provisions of the Education Act. I am aware of the current difficulties for the group of individuals to whom the honourable member has made reference and I would very much hope to have the amendments before the assembly in the fall sitting of this year.

# TIRE DUMPS

**Mr Allen:** I have a question for the Minister of the Environment, who was here just a moment ago and seems to have disappeared. Is he in fact nearby and in the House, hiding around a corner?

The Speaker: You may proceed. I think he can do two things at once.

**Mr** Allen: I have got a bigger job for him than just walking and listening.

The residents of Hamilton, and especially Hamilton West and Hamilton Mountain, are understandably nervous about the continued failure of the minister to take action on the illegal Mount Hope tire dump which lies nearby. The minister ignored the dump for years. After recent weeks of heightened concern, the minister is still playing games with the owners, the Musitanes

It is a clearly illegal dump. The only actions, however, that the area residents see are a few guards and a dog named Joey keeping an eye on things. When is the minister going to use the clear powers he has under the Environmental Protection Act to clean up illegal dumps and safeguard the residents of this area from the potential threat of airborne toxic chemicals produced by a tire fire?

Hon Mr Bradley: As the member knows, this site and all of the other major sites in the province have in fact been visited by representatives of the fire marshal's office and by representatives of the Ministry of the Environment to determine the particular situation. There have been orders, it is my understanding, that have been laid on this particular site to which he makes reference.

There is, as has been indicated, 24-hour security at the site. It has been present for some period of time now. This is independent security in addition to what was there before. The fire prevention authorities have issued two orders requiring compliance with the fire code, a point which perhaps the Solicitor General might be able to expand upon if the member gets a chance to chat with him.

The owners have applied for a certificate of approval, but I recognize it is the old dilemma of local residents who naturally would prefer to have no such site around and yet, on the other hand, if there is such a site they would like it so that there is a minimum risk to the people in the area. That is what the officials of the fire marshal's office have gone through. It is my understanding that the owners of this particular site have agreed to comply with this and when the new laws come into effect, it will—

The Speaker: Thank you.

Mr Allen: It does not sound like much more than the old ring-around-the-rosy that was being played with the Musitanos in a low-key, behind-the-scenes kind of way before the Hagersville fire.

What we have there now, of course, is Pal Joey, but what more is happening? What assurances do we have that the minister, after he plays this game of charades with the Environmental Protection Act, the Fire Marshals Act and the Ontario fire code, is in fact going to take any action that is any different than he did before?

There have been no clear assurances. The charade goes on. Why the charade, why the delay, and what assurances have we got that the minister is going to act the moment he has some legislative action to take further action on?

Hon Mr Bradley: I think, unfortunately, the supplementary was written before the answer to the question was anticipated. I remember I used to have to do that as well, I say to the member for Hamilton West, where the supplementary was written out as well.

I can simply repeat to him—and I know of his own personal concern in this regard, and it is quite genuine—that the fire authorities have in fact been on the site. The ministry officials have been on the site. I would not characterize his evaluation of the efforts that have been made in the past the same way he would, but I can say that with all of these circumstances, with the passing of the amendments to the fire code and with the passing of the amendments to the Environmental Protection Act, it will be very clear that the Ministry of the Solicitor General and the Ministry of the Environment have the right to go in and take whatever action is necessary.

I recognize as well that there is a concern that the tires are there, and so it is the old dilemma that people are going to face. I think they would like the tires to disappear from the area completely and have it out of sight, and that is understandable for the people, but what we want to do—

The Speaker: Thank you.

# MARMORA ARENA

Mr Pollock: I have a question for the Minister of Tourism and Recreation. As the minister is well aware, the government will not fund any project that has been started before the official approval has been given. However, on 8 March 1989, the then Minister of Tourism and Recreation told the people of Marmora and area that he was giving them a letter stating that they could proceed with their arena project. He also told them that their application was in order and he could see no reason why they would not be getting the funding. He stated that he might not be the minister in January 1990 when grants were announced.

The people of Marmora and area did firmly believe that they were getting provincial funding for their arena, which they deserve and are entitled to. Would the minister explain to this House why they did not get that funding?

Hon Mr Black: I appreciate the opportunity to address the concerns raised by the member for Hastings-Peterborough. I should tell him, first of all, that he is absolutely correct in identifying that we do not approve grants after the fact and that once construction has started on a building we are unable to approve grants for that particular project.

I should also indicate to him that we have had discussions with the representatives of the town of Marmora and understand their concerns and how interested they are in having funding approval for what I agree is a very worthwhile project in that community. Unfortunately, we are not able to fund all the applications that we received for funding for recreational projects in this given year and we have encouraged the people of Marmora to once again continue their attempts to pursue that arena project.

Mr Pollock: That arena was condemned in November 1988. They missed the hockey season in 1988-89, they missed this last hockey season, and if they do not get the funding soon, they are going to miss the next year's hockey season. That is three years without an arena.

I would just like to mention the fact that Dummer township, in October 1983, had its arena condemned and in September 1984 it had an official opening for its arena. They just missed one year of hockey. That is the track record of the previous government. Why can these people not get the funding? After all, they are entitled to it.

Hon Mr Black: I think we could spend some time addressing the track record of the previous government in a whole range of issues and that is some time that we perhaps could spend profitably. I am sure that I could identify for the member and for his colleagues many areas in which their track record is less than it should be.

However, to come back to his immediate concern, which is the people of Marmora, we are going to look very carefully at proposals from the area of Marmora. We are going to work with that community to try to address its needs and to try to assist it. I thank the member for his concern and interest in the project.

1500

#### NORTHERN FILM LIBRARY SERVICE

Mr Campbell: My question is to the Minister of Education. In December 1989, the Ministry of Education announced that its northern film library service, which has been based in Sudbury for many years, would end in its present form this year, on 15 June 1990. This service is well known to teachers and principals across northern Ontario who have ordered films from the library and had them shipped to their schools for use in

classrooms and assembly. Can the minister tell the House and the people of Sudbury what assurances we have that this service will continue to operate in northern Ontario?

Hon Mr Conway: I thank the member for his question and his interest in a matter that I know is of concern to my colleague and other members from the Sudbury area. I can assure my honourable friend that we intend at the Ministry of Education to provide the service, though in a different form. We are divesting the service as a matter of course. Discussions are under way with a number of school boards.

If my memory serves me correctly, the Sudbury District Roman Catholic Separate School Board has tentatively agreed to accept the divestment of the French-language film component of that northern film library service to that particular board. I do not believe discussions with the Sudbury Board of Education have reached a positive conclusion, but we continue to look to other partners in northern Ontario for an eventual divestment of the English-language film section. I can assure my honourable friend that we intend to maintain the service in northern Ontario.

Mr Campbell: I want to thank the minister for his response, because not only is the library service itself of concern, but the future employment of the film library's eight employees is at stake. Will the minister tell the House what plans his ministry is currently undertaking to relocate those employees within the Ministry of Education or in other jobs in Sudbury, perhaps in consultation with the Ministry of Northern Development and Mines, which is opening its headquarters in Sudbury this summer?

**Hon Mr Conway:** My friend has raised a very valid concern. I know there are a number—

Mr Laughren: What about Dryden?

Hon Mr Conway: My learned friend the member for Nickel Belt is intervening. I just want to say through my friend the member for Sudbury to my friend the member for Nickel Belt that I take very seriously the concerns of the public servants, who have done a very good job over the years in the ministry providing that northern service. We are expecting that their future job requirements will be met through a variety of means. Discussions are well under way at the ministry's human resources branch to place these individuals and I am confident that we will be able to do so.

I want to say again that the member who has raised this question has made very rigorous and vigorous representations that that be done and I have indicated to the deputy minister at the Ministry of Education that every effort must be made to ensure that they are provided for in this divestment.

# INTERNATIONAL TRADE

Mr Villeneuve: To the Minister of Agriculture and Food: The Ontario government in recent months has blamed Ottawa for just about every problem that occurred here in Ontario, in spite of the fact that his ministry has been chopping funds to agriculture. Can the minister tell us whether the Ontario government and his ministry support the position put forward by Canada and the Honourable Don Mazankowski on 14 March supporting article 11 of the GATT?

Hon Mr Ramsay: I am quite happy to say that yes, I do and yes, we do in the Ontario Ministry of Agriculture and Food. In the last few months I have been bringing the message to Ottawa that it is very important that Canada present a strong

position on article 11, that the GATT discussions that are happening now in Geneva, the Uruguay round, clarify and strengthen article 11 so that our commodity boards can manage the imports coming into this country so that we can satisfy the supply of basic foodstuffs for the people of Ontario.

Mr Villeneuve: The minister may be aware that the Premier in the past has threatened to ignore the GATT and pull out. Changes do take place in the GATT. Is the Ontario government ready to abide by international trading rules or is the minister ready to put our food industry at stake? Does he intend to call his election promises, as he did on free trade, and veto the GATT decisions if he does not like them, the same as he did on free trade?

Hon Mr Ramsay: What a delicious question to talk about today. As I am sure the member from across the way knows, being a leader of a ministry in a provincial jurisdiction unfortunately just does not cut it in international trading negotiations. Obviously it is the country of Canada at the federal level that is involved in federal negotiations, international trade negotiations, but also, as a province and as a country, we believe in adhering to international law as we do to any law. Our tactic at the moment is to present what Mr Mazankowski has presented, and that is a very strong position in the international trade negotiations that are happening this year, so that we strengthen and clarify article 11.

# WORKERS' COMPENSATION BOARD

Mr Morin-Strom: I have a question for the Minister of Labour with respect to plans from the regional office of the Workers' Compensation Board to move its handling of claims for workers from Sault Ste Marie and the district of Algoma from the Sudbury office to the Thunder Bay office.

The minister must be aware that Thunder Bay is as far from Sault Ste Marie as Toronto is and this would totally defeat the whole purpose of having regional offices to serve people closer to their home communities. The minister has received communications on this over the last several months from my colleagues from Algoma and Sudbury East and myself. I would ask whether the minister will now ask the Workers' Compensation Board to reconsider its decision to hold meaningful consultation with workers and their representatives in the Sault and to relocate all appropriate Workers' Compensation Board services closer to the workers, right in Sault Ste Marie in the district of Algoma.

Hon Mr Phillips: I guess I would first recognize that the Workers' Compensation Board is going through a number of organizational changes, all of them, I might add, with the approval of its board of directors, which in the end is responsible for the administration of workers' compensation.

I am aware of the correspondence that has taken place. Based on reading that correspondence from the Workers' Compensation Board to various individuals in Sault Ste Marie, I would hope that the residents of Sault Ste Marie are satisfied that they will continue to receive excellent service in Sault Ste Marie. I understand from the correspondence that there is a portion of the services that are currently offered in the Sudbury office that will indeed be moved to the Thunder Bay office, but I understand from that correspondence that there will be little, if any—virtually no—requirement for anyone to travel to Thunder Bay. So based on my understanding of the response, I would hope that the people of Sault Ste Marie are satisfied that they will receive a high level of service from workers' compensa-

tion. I would encourage them to continue to discuss it with workers' compensation if they have any further concerns.

**The Speaker:** That completes the allotted time for oral questions and responses. Motions?

Petitions.

**Mr Cousens:** Mr Speaker, I am standing in my place and would like to introduce a motion that leave be given to introduce a bill.

The Speaker: I will call for introduction of bills in due course. I will draw it to the member's attention when I come to it

# **PETITION**

# FRENCH-LANGUAGE SERVICES

Mr Daigeler: I am submitting a petition signed by 14 people in my riding, at their request, even though I do not support the intent of this resolution. However, it concerns the question of Bill 8.

# REPORTS BY COMMITTEES

# SELECT COMMITTEE ON ENERGY

Mrs Sullivan from the select committee on energy presented the committee's interim report on climate change.

Mrs Sullivan: The select committee on energy has been very energetic in undertaking the first phase of its mandate. It has engaged the Royal Society of Canada to assist in the scientific and economic evaluations which we will require further on in our work and we are pleased to be associated with the expertise and the independence that this body will provide.

In our first phase of public hearings, the committee heard from national and international experts in climatic modelling, in the atmospheric sciences, in ecology and energy policy, as well as from representatives from the governments of Canada, Indonesia and the Netherlands.

#### 1510

We learned that while there is not full certainty of the time and rate of climatic or precipitation changes, nor of the specific regional impacts which may accompany global warming, none the less we believe strongly that the need for co-ordinated action between the public and private sector in reducing emissions of greenhouse gases is urgent.

In the next phase, the committee will further examine the reduction of greenhouse gas emissions in the production, generation and use of energy in Ontario. We will refer, in our examinations, to all sectors which use energy here.

The report further outlines some of the issues which we will consider in the next phase. I want to thank the members of the committee for the extensive work that they did in preparation for the public hearing phase and in the preparation of the report.

# STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr8, An Act respecting National Capital Children's Oncology Care Inc;

Bill Pr44, An Act respecting The Royal Canadian Legion;

Bill Pr49, An Act to revive 393598 Ontario Limited;

Bill Pr58, An Act to revive Gursikh Sabha Canada.

Your committee begs to report the following bill as amended:

Bill Pr47, An Act respecting Lake of the Woods District Hospital.

Your committee would recommend that the fees, and the actual cost of printing at all stages and in the annual statutes, be remitted on the following bills:

Bill Pr8, An Act respecting National Capital Children's Oncology Care Inc;

Bill Pr58, An Act to revive Gursikh Sabha Canada.

Motion agreed to.

The Speaker: I have to ask the House for unanimous consent to revert to petitions. There were so many members on their feet, I missed the member for Hastings-Peterborough. He would like to present one petition, and I am sure the members would agree.

Agreed to.

#### **PETITION**

# WASTE MANAGEMENT

**Mr Pollock:** I have a petition, signed by 1,248 people, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"We, the Hastings County Federation of Agriculture and residents of Ontario, want a stop put to landfill sites and to have steering committees look at the use of energy-from-waste systems that promote the 4Rs—the programs of, first, reuse; second, reduce; third, recycle; and fourth, recover—and recovery of energy."

I would like to pay tribute to Betty McCarroll and John Lyle for their efforts in collecting this petition. I have affixed my signature.

The Speaker: I will now call for introduction of bills, but I also inform members that they can make a motion to introduce a bill at this particular time.

# INTRODUCTION OF BILL

UNSOLICITED FACSIMILE TRANSMISSIONS ACT, 1990

Mr Cousens moved first reading of Bill 118, An Act respecting Unsolicited Facsimile Transmissions.

Motion agreed to.

Mr Cousens: We are increasingly seeing the use of facsimile machines as part of business, and more and more people are relying upon them as a way of communicating with one another. It is almost like the phone call that you get that you do not want to get. It is a recording. Someone interrupts your supper or your sleep or your own personal activities with an unsolicited phone call.

The problem with unsolicited facsimile transmissions is that they can tie up the machine that you have allocated for a specific purpose and you end up having the cost not only of the lines being tied up and the cost of business time being lost, bu also the use of the paper and other expensive materials that are part of it.

This is a bill that, hopefully, will address this as a concerr to business and will be presented in due course to the Legislature to give the members a chance to read it.

# ORDERS OF THE DAY

House in committee of the whole.

# INSURANCE STATUTE LAW AMENDMENT ACT, 1990 (continued)

Consideration of Bill 68, An Act to amend certain Acts respecting Insurance.

Mr Cousens: When the committee adjourned last we were discussing and debating Bill 68, and I was in the process of making some preliminary comments to the bill following the earlier presentation that had been made by the New Democratic Party. I had completed the first five points of my presentation. With the permission of the House, and knowing how this committee operates, I would like to be able to continue with that at this time.

The Chair: You had adjourned at that moment. I was about to ask for questions and comments to section 1, but since you were not finished, you may proceed.

Mr Cousens: When we begin again in the House to look at this bill, we are dealing with one of the worst pieces of legislation this Legislature has looked at in the last four years. We are seeing a piece of legislation where the minister has come in with 30 amendments, and probably more to come, and he probably has not even added up the number of amendments he has altogether.

We are dealing with a piece of legislation that is in response to a statement made by the Premier of this province on 7 September 1987 when he said, "I have a very specific plan to lower insurance rates." The Premier of this province did not and does not have such a mechanism to reduce automobile insurance rates.

There is no doubt that the people in Ontario have had a problem with automobile insurance rates in this province for some period of time, there is no doubt that action needs to be taken and there is no doubt that every member in this House would have a solution for it, but I have to tell members that there are a number of people, other than the 94 Liberals, who have a different opinion. We will do everything we can to make sure that the Liberals who are here and who will be voting on it will have every chance to reconsider their positions.

What might happen is that this government might come along and try to close off discussion and force an end to the debate through the use of its majority so that there cannot be a full and complete dialogue about this bill. I have that feeling because the other day when we came into the House there was not any doubt that the Minister of Financial Institutions was in a hurry to try to get the bill passed in one day. That is just impossible.

The minister has 30 amendments. There are hundreds of clauses in this and there are many points that have to be made. He has not understood the points we have tried to make up until now. We hope that through the dialogue that takes place in the

committee of the whole House the government will come to its senses.

As we looked at this bill last week, I touched upon a number of the points. Just to give myself a position in my speech, the first one had to do with the fact that the Premier had reneged on his promise of lower automobile insurance rates.

Hon Mr Elston: You mean to reorient yourself.

Mr Cousens: This minister should be on a comedy show rather than running one of the most important ministries. His interruptions and interjections I enjoy, but the fact of the matter is they just tie up the House even longer and will cause us to debate those specific points. If he wants to, I would be pleased to have the back-and-forth dialogue, but rather than tie up the time of the House in antics, I would rather get on with what we are really here for, and that is to deal with Bill 68.

First, I want to make some preliminary remarks on the bill and on the point I am really making, as to why I and a number of others in our caucus cannot support it and why I think the people of Ontario should rise up from their television sets and out of their seats and throw those guys out of office. That is what I am looking for. I think on this bill alone you are going to lose two or three or four seats. You are losers. What you are doing is losing control of the government, losing control of everything and you are interfering and meddling.

The Chair: The member for Markham will address the Chair.

1520

**Mr Cousens:** This bill is an example of that.

The first point I made is that the Premier, with his fantastic sense of humour, in Cambridge on 7 September 1987 said he had a solution to it. It is now proven with the 30 amendments coming in to Bill 68 he did not. That is my first point and I can make that one again and again, and I will make it again and again.

The second point is that the government's bungling of automobile insurance has cost taxpayers dearly. The other day I went into just how it has cost taxpayers dearly.

My third point was that the government plans to implement threshold no-fault car insurance, despite damaging criticism levelled against it in the Osborne report. How odd it is that the Osborne report singled out as the one way not to go, this mechanism now being considered by the Ontario government.

My fourth point, the government would have the public believe that lawyers are driving up the costs of claim settlement. When you really start looking at the facts and the data and realize the bafflegab that we have had from the government, what it has done is slammed notable professions and really has not come forward with a background of information that justifies the action it is now taking.

My fifth point had to do with the wording of the threshold that is part and parcel of this bill, and the fact of the matter is "the threshold" are key words that people in the province of Ontario will begin to know, maybe even memorize when they have been through it, because any injury they have or we have will be tested under the following words: is it a "permanent serious impairment of an important bodily function caused by continuing injury which is physical in nature"? Last week I did go into how there are so many holes and problems with that definition or how in fact in Michigan, where a similar definition is being used, we are talking about some 1,200 different cases before the courts now in trying to resolve that matter.

I continue now with my sixth point. When we start looking at this new insurance commission we are talking about very limited powers. I suspect that before too long, once this insurance commission has been established, the government will be coming back to re-establish new terms of reference for it. This insurance commission that will be established with this bill will replace the Ontario Automobile Insurance Board and the Ontario superintendent of insurance. The honourable Minister of Financial Institutions has said that the new commission will have broad powers of intervention and enforcement and will also be responsible for protecting the interests of consumers and regulating rates.

However, the new commission will do nothing but review and approve rates. Insurance companies will continue to set the rates. It is not clear if there will be any rate ceilings. Why does the government not have a look at some of these matters? Maybe this is something that will be looked at as we debate this bill. That is just a small point among many, many others.

My seventh point has to do with the fact that there is no cost saving for consumers under the new system. There is no cost saving for consumers under the new system. The minister has said that drivers in urban areas can expect their rates to rise on an average of eight per cent next year, and drivers in rural areas should see no increase on average. What does an eight per cent increase on average mean for some people in Toronto?

Mr Kormos: It means 50 per cent.

Mr Cousens: I thank the member for Welland-Thorold. It does mean 50 per cent for some people and it may mean just one or two per cent for others. But you are talking about a wide range of increases and you come along and take the average, who knows how that average has been calculated. I would be most interested in seeing how the government can rationalize and explain away this eight per cent increase on average next year.

When I hear the minister indicating as well that there should be no increase on average in rural areas, that begins to raise the spectre of questions as well. Rather than paying a projected 30 to 35 per cent increase next year under the existing conditions we have under present-day law, the new system will generate, as the minster says, a saving for consumers: rates will rise by eight per cent on average.

I guess the question really is—as a business person, I ask the question—how can you ever call a rate increase a saving? It is a saving relative, I suppose, to the increases you can have otherwise, but it is not a saving. You are still going to be paying more. And when the truth comes out, people will realize they are paying more for less.

Yet the government, in its grandiose way of describing what it is doing, says it is going to have a saving for the automobile insurance payments in Ontario. That is not true.

The government should start using the words wisely and well and become straight in the way in which it presents the facts. When it comes along as a government saying, "There is a saving for you," people think there is going to be a saving, there is going to be more in their pocket when they are finished paying than there was otherwise. But, no, there is still going to be more out of their pocket; they are still paying more; they are not going to have any more to spend on anything else.

What happens a year after this? Has the minister gone into the future with his little crystal ball and tried to determine what it is we will see in the years 1991 and 1992? What I would like to know is how he predicts the future rates to go. Is he relying on regulatory powers yet to be formed? That is something this legislation does not make clear.

What we have really seen here is an eight per cent premium increase on average for drivers in urban areas, and that is just an average. There has been no cap on the individual rate of increase that people can experience in Ontario. So it is virtually all over the map. Why is it that it has to be this way?

Let me tell members how it has to be. The next point I make, point 8 of my 10 points, is that the new system allows for continued cherry-picking. It is not the Niagara Peninsula we are talking about, where you actually grow cherries. We are talking about the kind of cherry-picking where those companies that want to pick up certain policies will pick up the policies of corporations and businesses where there is the least outlay of risk. If they can reduce their risk by insuring only those people who are guaranteed all kinds of benefits, then those are the people who are going to be insured by the insurance companies. Why not? It means less to pay out.

You do not have to pay as much out when you are dealing with someone who is with a big corporation, because the big corporation provides so much in the form of services to their employees. The company benefit programs are part and parcel of the benefits that this government is looking at in this heinous legislation. In this way, insurance companies are going to be facing more of a risk with those people who are not with large corporations, where individuals do not have accident benefits provided for in their employment.

#### 1530

The minister says he is not in favour of a two-tier system of risks, but may I suggest to the members that we are seeing in Ontario a whole new form of insurance being formed which is becoming a very important part of insurance, and that is the Facility Association, the insurer of last resort. The Facility Association is the insurer when you cannot find an insurance company to insure you and your car, your family and your car, your kids and your car.

We would be in big trouble without it, but the Facility Association certainly has the largest way of gathering money out of people because of what it charges for insurance coverage. It is not a competitive scene. What happens is that a person who wants insurance goes to an insurance company and says, "Look, I want to get insurance on this car. My wife and I will be driving it to work and back," and away we go. They search through the Yellow Pages and then they apply to all the companies. They go to all the brokers in town and they say: "Look, I have got a good record and I just run a small company. I am sorry, I have a few tickets here but, look, can I get coverage?" What they say is: "I'm sorry. We are just not able to insure you." More and more they are going to say to people: "No. You can't be insured by the insurance companies. You'll go to the Facility Association and the Facility Association will look after your needs." Then they are out of the competitive scene. They are into a situation where the prices are extraordinarily high, much more dear and expensive than if you went through the regular insurance channels.

What has happened just in the last short period of time, as insurance companies are being more and more selective of whom they will insure and whom they will not insure, those who are not insured end up going to the Facility Association, and what we are seeing are some very interesting statistics. From 1 November 1988 to 31 July 1989 the number of people insured by the Facility Association increased by 103 per cent, compared with 71.3 per cent a year earlier. In other words, they

are growing faster than the insurance industry itself. What a way to gain and grow. Once you get the government meddling in it, coming through—oh, you guys love this. I look at my New Democratic friend the member for Welland-Thorold.

When I talk about government getting bigger and spending more and more money, your face just smiles like a Cheshire cat. But your solution is just going to cost more and more, and I do not want to associate myself with the solutions that you have, because there is no one rich enough to do it, certainly not the NDP.

The Chair: Order, please. The member for Markham will address the Chair.

Mr Cousens: They are going to have the public purse pay for it, so we are dealing with two villains, those guys smiling away, looking for more, and then these fellows ripping off the public with their Facility Association. I have to say that they are encouraging the building up of cherry-picking. If it was promoting agriculture and farming in Ontario, I would be far more supportive, but instead, what do I see? I see a kind of selective process that eliminates people from the choice of the insurance coverage that they want to have and need to have. They are forced into the Facility Association, which is far less than competitive.

Next is point 9, as I move rapidly towards my conclusion. The introduction of the new system will cost consumers \$773 million. Not all of that is in the first year, but we are talking in the range of hundreds of millions of dollars that are now going to be spent on insurance that were not spent before. If only the consumers knew that when they were electing the Premier and his sweet Liberals in 1987, when he had a solution to solve the automobile insurance rates, if they knew it was going to cost a heap of money out of our pockets, when we do not have the money-we could be using it in deficit reduction, we could be using it on education, we could be using it on many other things. If the people of Ontario had known that this government was going to be digging into their pockets again searching for more money—and I mean "searching" because the pockets are getting thinner and thinner, especially the way the Liberal's 32 tax hikes over the last five years have taken more and more away from us and we are getting less and less government.

But here is another example of it. We are talking about \$773 million more being spent on insurance that is going to come out of the pot. Let me just break it down so that it is on the record, so that Hansard will record just where that breakdown takes place: \$480 million is the amount the insurance companies will save in compensation payouts for pain and suffering, so the insurance companies buy this one. No wonder they like it—\$480 million they are saving through this program.

The next one: \$150 million is the amount that insurance companies save in compensation payouts for economic loss under the new threshold, and \$95 million is the revenue the government will forgo by eliminating the three per cent tax that drivers currently pay on insurance policies written in Ontario. That \$95 million is every year from now on, without fail; \$95 million that they have thrown away that taxpayers would now receive through the tax. That three per cent is paid for by drivers in paying for their insurance policies.

Some \$48 million is the amount that insurance companies will no longer have to pay OHIP for medical services provided to innocent victims of car accidents. It all adds up to \$773 million. Some of that comes out of the moneys the insurance companies previously had to pay and another part, the smaller part, comes out of the pockets of taxpayers.

You could build a lot of homes in my riding for people who need homes. You could build another couple of intersections and a grade separation and do an awful lot with the \$150 million or so that the government has just thrown out on this one. When we start saying that there is no money to do certain jobs in our communities, to build schools for our children, to get rid of the portables and factors like this, here is another place where the government has just thrown the money away.

Another factor to the cost of this system to consumers is that no-fault insurance will cost employers substantial amounts of money. The legislation requires employees to exhaust all medical, surgical, dental, hospitalization, sick leave and income-continuation benefit plans before being allowed access to the schedule of no-fault benefits. Is that not something? Is it any wonder that people are concerned about what will happen

to them if they have an automobile accident?

The teachers are a classic example of this. Where a teacher will have accumulated a certain number of days for sick leave and has a car accident, rather than being able to apply to the fund for assistance while recovering from the automobile accident, instead the sick leave he or she has accumulated as a teacher will be reduced for every day that the teacher is sick. Then when he is well and back to work again what will happen, if he is taken sick and has a heart attack or something else, is that his sick leave will have been completely eaten away, possibly, by the nature of the sickness he had.

The fact of the matter is, the system is costing consumers. It is costing all of us, and yet the government does not stand up

and admit it.

My 10th point has to be the fact that the Ontario Progressive Conservative caucus has presented responsible alternatives under the leadership of our critic responsible for Financial Institutions. The member for Leeds-Grenville does not have anything like the staff that the Minister of Financial Institutions has. We have not spent anything like the \$20 million or so that they have, studying answers. The member for Leeds-Grenville is able to work with one researcher from the party.

Hon Mr Elston: How much are you spending on those misleading ads in the Financial Post?

The Chair: Order, please. Members will have a chance to make all the comments they want one after another, not all at the same time.

Hon Mr Elston: I would like to apologize for interjecting. I was merely requesting information on how much the PC party had paid for the ads in the Financial Post when it has a \$4-million deficit, that is all. I am sorry.

Mr Kormos: You should apologize for this legislation, now that you are on your feet apologizing.

The Chair: Order, please. The member for Markham only.

Mr Cousens: There is an awful lot more to be said, in fact, but I wanted to just put on the record that there is a tremendous commitment that has been shown by our party for a responsible solution that provides a balance between what we really need to provide, some regulatory control to solve some of the problems which we all acknowledge exist in the automobile insurance industry, and a responsible track that allows us to balance off the needs and requirements that should take place in a freeenterprise environment.

When I hear the minister talking, I realize that maybe what he needs to do is read the papers and watch the news to see what is happening in eastern Europe, where people are finally becoming free of the yoke of socialism and the control of government. Now what we are saying is that the members of the government do not know how to listen, they do not know how to respond, they do not know how to react to people who have points to make.

Fortunately, the people of Ontario have at least elected 17 Conservatives to stand up and make the point, and in the next election it could be reversed.

Mr Mahoney: You might get 18.

Mr Cousens: The government members could be sitting over here and that could mean a lot of the yowling voices that are here yelling and screaming but doing nothing would have a chance to criticize something else.

Mr Cousens: The Ontario PC party has called for a number of key points.

Mr Kormos: The New Democrats are going to form the next government.

An hon member: Maybe you are on drugs.

Some hon members: No.

Mr Mahoney: Not today, no.

Mr Cousens: I think there has been a very provocative statement made.

The Chair: Yes. All members should stop making interjections, whether they are in their seats or not, and only the member for Markham has the floor.

Mr Cousens: Maybe the member should apologize to the other member for the statement that has been made.

Mr Callahan: You called them socialists. You should apologize.

1540

Mr Cousens: No, they will accept being socialist, but the chairman did not hear the remarks that were made by the member from Mississauga. I think it is unacceptable for a member to say of another that he is on drugs, and I think that is what he is saying.

Mr Faubert: Like to know what he is smoking, that is all.

The Chair: The member for Markham may proceed. Order, please.

Mr Cousens: I think you have to be very careful. The Liberals make very light of this legislation and of the commitment that others have to it. I suppose when they are just allowed to come in here and interject and make statements and points but never stand up and speak, it really begins to tell me and many others that the Liberals are just falling in line like a pack and doing what the Minister of Financial Institutions or the Premier wants them to do. They have ceased to think for themselves and ceased to realize that there are other ways of handling the automobile insurance situation in Ontario, and that is to my point.

Our caucus, through the member for Leeds-Grenville, has suggested that, first of all, we abolish this rate-setting bureaucracy that we have, just dissolve it; second, that we should establish a rate review system comparable to that of Alberta. Alberta has established a way of handling this. We are saying: "Look at it, analyse it, assess it. Could it be a way in which we could handle it here in Ontario? Will we retain something of the balance between business and industry and government?"

We have asked for the appointment of an insurance ombudsman. We happen to have an Ombudsman in Ontario right now who is extremely busy understanding how the insurance industry is different from the kind of issues that are dealt with by the Ombudsman. Certainly the insurance field would require someone specialized and very skilled in this special field. So we have suggested that there be an insurance ombudsman appointed. It would also give all of us a chance when we have someone who has been referred to Facility insurance when in fact the other insurance companies have turned him down without cause. Then he would have recourse to go and say, "Hey, why is it that I am not being considered?" It would force some accountability in the decisions that are made by large corporations.

We are dealing with a country made up of many people. We have nine million people in Ontario. Why are we not willing to serve them and make sure that their interests are properly responded to? By having an ombudsman, we would be in a better position to respond to the concerns and problems that they might have.

The member for Leeds-Grenville has also suggested that there be wide-ranging tort reform measures. In our amendments that we will be bringing forward in this bill, there are a number of issues that tie into that. It has to do with this government's desire to beat down and beat up lawyers. They have said, "Let's remove their QC," and they have said, "Let's try to control this or that."

Now, in this kind of bill, one of the issues that has been raised by virtue of the way the bill has been presented publicly and privately is that in looking for tort reform, they are saying, "Well, the lawyers are making too much money." What they are really failing to address is, in having tort, they are protecting the rights of an individual to be able to have some recourse to issues and concerns that he has.

I really believe that in the presentations that have been made by our critic for Transportation, the member for Lanark-Renfrew, who has been calling for more driver education on the roads and better forms of licensing, there are a number of things that could be done that would help us all with regard to the way people drive and how they drive and just what they are doing with their cars. In fact, driver education has to be given a far greater emphasis so that we are able to see that the people who sit behind the wheel of a car understand that it is not just a right but a great responsibility.

Finally—not "finally," because there are many other recommendations that have been made previously, but just stricter enforcement of highway and traffic laws would be a way of helping to make sure that people on the roads are safe.

We are talking about a complicated bill. With Bill 68, as it has been presented to the Legislature, we are talking about 56 pages of fine print. It ties into the Insurance Act. It is not something that anyone can quickly pick up. Politicians end up picking up on a few key points. I think that is part of what I have wanted to say in my presentation this afternoon and the previous day: There are just so many aspects to this that for us to come along and quickly try to deal with it and get it out of the way is to fail to understand the ramifications that Bill 68, An Act to amend certain Acts Respecting Insurance, will have on life in Ontario.

These are a few introductory remarks, and I hope that the Chair will allow members to participate in this debate. I look forward to doing so.

The Chair: Before we proceed with the next member, may I remind members of two standing orders. Members are always referred to by the name of his or her riding, never by name. All remarks are always addressed directly to the Chair and not through the Chair, and no "you" and second-person singular or plural.

Do other members have general statements to make on section 1?

Mr Kormos: Mr Chairman, I have made my brief introductory remarks, but I understood you to indicate there was going to be an opportunity for members to respond to or question the member who just spoke. That is what I understood your ruling to have been mere moments ago.

The Chair: In committee of the whole, members can speak as many times as they wish. They can make responses, questions, comments; there is no limit.

**Mr Kormos:** Thank you. I am going to be very brief because I do indeed want to respond to—oh, oh.

Hon Mr Elston: In fairness, Mr Chairman, last week when we started this off, the intention that was expressed was that there be brief introductory remarks by members who wished it. Now the gentleman again is abusing what was given, I think, as a very liberal interpretation of where we were headed. Now he wishes to speak again. Mr Chairman, it is obvious what is going on here, but of course I am leaving it with you.

Mr Pouliot: Mr Chair, the rules are there. You, with your wisdom, sir, have taken this opportunity to spell it out. Our side, the opposition, did understand very, very clearly, and we intend to adhere meticulously to what the rules of the House say. I find it somewhat appalling that the minister would try, at this late stage in due process, to use it for a matter of convenience. We can speak as long and as much as we want.

The Chair: In the habitual process of clause-by-clause in committee of the whole House we may permit short, brief introductory statements. What we usually do is that members can discuss, at length, clause-by-clause. We have not even started section 1 yet. What I would like to do is start with section 1. Whoever wants to make comments may do so with no limit of time; questions and comments, clause-by-clause. This is what we call clause-by-clause.

Mr Philip: Mr Chairman, I was a member of the committee. I have a statement I want to make on the nature of this bill, having had the hearings, and I would like my opportunity to make a statement similar to the statement that the member for Markham has made; maybe not as long as his.

The Chair: The member for Etobicoke-Rexdale can make his comments.

**Mr Philip:** Thank you, Mr Chairman. I take this opportunity to rise and to reflect on the extensive hearings that we have had on Bill 68, which is An Act to amend certain Acts respecting Insurance.

It is usually the case that when you look at the title of a bill you can tell the contents of the bill, and I suggest that perhaps the title of this bill is not entirely as descriptive as several titles that perhaps I could suggest. I would suggest that perhaps a more appropriate title to this bill would be An Act to provide the Transfer of \$1 Billion of Funds to the Automobile Insurance Industry. That would be an accurate title of this bill, because that is exactly what this bill does.

Another title, of course, that might be appropriate to this bill would be An Act for the Expropriation of Property without Compensation, because that is what this bill does. It takes the sick benefits that working people have negotiated through their collective bargaining or that professionals have negotiated with their employers through their skills and the talents they have to offer, and expropriates that money, takes it without compensation whatsoever and transfers it to the insurance companies. We know, of course, from the hearings and from reading the bill that if one is injured and has a health insurance program, one must eat into that health insurance program before getting any kind of compensation from the insurance company.

# 1550

Another title that we could use for this would be An Act for the Provision of Welfare Payments to the Insurance Companies. That would be a perfectly appropriate title for this bill and perhaps the best title, for after all, those poor impoverished insurance companies, which in the last quarter made only \$314 million, surely need the help of the taxpayers of Ontario.

That is what this Liberal government is doing for them. They are saying: "You poor poverty-ridden companies, you've only made \$317 million in the last quarter. Therefore we want to transfer close to \$1 billion out of the pockets of the people of Ontario into your coffers."

Mr Kormos: The highest profits in eight years.

**Mr Philip:** The highest profits in eight years, my colleague the member for Welland-Thorold tells me.

What we have is a massive tax giveaway of \$140 million or so, \$823 million in reduced benefits, using the government's own actuarial figures. What we have is a system in which the taxpayers have already paid some \$20 million for study after study; yet if we look at the two major studies, they recommended that the kind of legislation in Bill 68 should not be considered as appropriate by this government.

The government's own commission made a similar recommendation. Mr Kruger and his commission, which the tax-payers of Ontario have paid for, were completely ignored by the government, as it has gone off on its own trip.

It is appropriate in any bill that—

Interjection.

Mr Philip: The member for Lake Nipigon says that I should confine myself to no more than 45 minutes and I will try to do that.

I approach a bill or any piece of legislation with a series of questions. I find that these questions can tell exactly—

Hon Mr Elston: Certainly orchestrated.

Mr Philip: If the minister wants to speak, I will be happy to sit down and let him speak, if that is the case. Then I would appreciate having an opportunity to address the House without his interruptions.

Mr Kormos: It is remarkable. He was never in the committee.

Mr Philip: Yes, it is remarkable that this minister refused to appear in the committee to answer our questions, refused to appear on the committee to answer any of the questions or any of the concerns of the people who came, but now he wants to interrupt me and other members of the House who did appear in the committee and who did listen to the public.

I ask you, Mr Chairman, to please tell him at least to have the courtesy to listen to what the members who were on the committee—they did appear, were there and listened to the public—heard from the public. He is hearing it no doubt for the first time, since he did not have the courtesy to come and hear it when these groups did appear.

Interjections.

The Chair: Order, please.

Mr Philip: I do not know where the minister was. He was probably on Bay Street or in London, Ontario, with the insurance company friends, but he certainly was not in the committee listening to the concerns of members of the committee or members of the public.

As I was saying when I was so rudely interrupted by the minister, I approach this bill, as I do any other piece of legislation, with some fairly basic questions.

Interjections.

**The Chair:** Order, please. The member for Etobicoke-Rexdale.

**Mr Kerrio:** Right. I can't hear what he is saying with the minister interrupting.

The Chair: Order, please.

**Mr Philip:** Even the minister's own colleagues are telling the minister to be quiet.

Interjections.

The Chair: Order from members of all sides. Order, please.

Mr Philip: There are a number of questions that you have to look at in examining any kind of legislation. They are simple questions, the kinds of questions that anybody with any experience in auditing or public accounts or any concern for the cost to the taxpayer would ask.

The first question is, what is the cost of this legislation? Another question is, what is the problem that this will solve? A third question is, what are the side-effects of this particular course of action? Another question is, are there less expensive ways of dealing with this problem? And another question is, are there other methods of dealing with the problem that have less side-effects?

I come from a business background but I approach any business question with the same kind of questions, and I think the business of government should be approached in the same businesslike manner.

So what is the problem? The problem, the minister will tell you, or indeed any member who listens to his constituents will tell you, is one of cost. Insurance premiums have been going up at an astronomical pace in Ontario. Indeed, the Premier was so concerned about it that he said he was going to solve the problem and that was his promise in the last election.

Interjections.

**The Chair:** Order, please. Only the member for Etobicoke-Rexdale has the floor.

Mr Philip: I heard the Premier. I even saw him on television, because I watched the news that night and I can remember the Premier's promise. He said, "I have a specific plan to lower automobile insurance." Obviously the Premier thought that there was a problem of cost. Why would he want to

go to the public promising to lower costs if there was not a cost problem? We can probably all agree then that there is a cost problem.

Second, there is a problem of access. Some people are being denied access to insurance. So there is an access problem. Third, there is a fairness problem. Many of us as MPPs can tell of case after case of people who will come to us and say: "I have been mistreated by the insurance company. I have been treated unfairly."

Those are the three problems that I guess we have to look at. Is there a problem? Yes, there are three problems. The Premier at least agrees on one: There is a cost problem. There is a problem of access—some people are being denied insurance or cut off by insurance companies—and there is a problem of justice or fairness.

Does this bill solve those problems? We listened to the testimony that was presented and it was fairly clear that those who knew the business and who examined this bill said that it would not solve these problems. We heard from Ralph Nader, a well-known consumer expert, and he said not only would this not solve those three problems but this was the worst legislation he had seen anywhere in North America. So it does not solve the problem. It does not solve the three problems.

The next question that you have to address yourself to is what the cost is. The average person out there in the public asks that before he makes any purchase, "What is the cost?" I asked that question day after day in the committee. I said, "What is the cost of this bureaucracy that you are setting up?" Would you believe that they did not even know what the salaries were going to be, let alone the number of people they were going to employ? They did not even know the salaries or the salary ranges of the people they were going to hire. They could not answer that question.

The minister is nodding his head. I can hear him from here. He says that he did. Obviously he should have come into the committee and told us, because when I asked those questions, the parliamentary assistant could not answer them. He could not tell us the cost of the bureaucracy. He could not tell us how many people were going to be required. He could not tell us what the positions were going to be paid.

Mrs Sullivan: It does not matter.

1600

Mr Philip: One of the Liberal members says that it does not matter. I am sorry, but the official opposition happens to feel that the cost of government is an important issue, that the cost of a program is an important issue. If the Liberals then feel that they can go out and spend money as though it comes off trees—it does not; it comes out of the pockets of the ordinary taxpayer. Indeed, under the Liberal government we have had a less progressive tax system than under even previous Conservative governments. So it comes primarily out of the pockets of the small businessman, the middle-income earner, rather than the very rich.

The other issue is, are there less expensive methods of dealing with the problem? Of course, when we challenged the minister—and indeed his predecessor the member for Wilson Heights—to look at what other provinces had done, to do a specific analysis of what had been done in other provinces or even to go to Quebec and see what had been done in Quebec, he refused to do so.

Mr Kormos: You mean like what the Liberals do in Quebec.

Mr Philip: What the Liberal government does in Quebec The minister would not even examine what was done in other provinces. No, he trailed off or his predecessor trailed off to the United States to find out what programs were going on there. I want to talk about that at some length later on.

Are there less expensive methods of dealing with it? We would suggest that there are. If you talk to anyone who has come from some of the western provinces and has bought ar equivalent amount of coverage here, he will tell you how much less expensive it is in those provinces.

The question is, are there side-effects that come from the legislation that outweigh any benefits? We have seen, first, that there are not very many benefits. Certainly if you are a consumer, there are not very many benefits. We have heard testimony after testimony that you get less benefits under this than you would under the existing system, and we have heard that you will pay more insurance premiums under this than under the previous system. So one has to ask, are there any benefits from this? One can conclude certainly from the hearings and from the examination that we did that there were no benefits at all, or if there were, they were very minimal.

What are the side-effects? I think I have outlined some of the side-effects. I talked about how it is an expropriation of the sick benefits that people have bargained for under their collective bargaining agreement or negotiated under their contract with their employer.

I have indicated, I think, that there are also problems in terms of compensation, that under this system people will receive less compensation for the average accident, including some fairly serious accidents, than they would under the old system.

What we have then is a system that is not going to make things better and that is going to cost a lot. We do not know how much. We know about the \$1 billion that is a direct giveaway to the insurance companies out of the pockets of Ontario consumers, but the government itself has not costed the added bureaucracy that it is setting up here, so we do not know what that cost will be and we may be sure that it will be an ongoing cost.

This bill sets up a massive bureacracy, but it does not even deal with some of the basic problems that my constituents are concerned about. There is nothing under this legislation that guarantees that drivers are going to get insurance coverage. Members will recall that at the beginning of my speech I said there were three basic problems, and that is one of the basic problems, high premiums.

Inability to get insurance is the second problem. It is not just my opinion that this will not resolve the problem of inaccessibility of insurance: no less people than Justice Osborne of the Supreme Court of Ontario and Don McKay, the general manager of the Facility Association, have said this. If this legislation is passed, more and more drivers, good drivers, conscientious drivers, are going to be forced into the Facility Association, and that means that more and more are not going to be able to afford insurance.

The Liberals are promoting legislation that will force more and more people to be in a situation where they will, in desperation perhaps, commit an act that is illegal and one that certainly is going to produce a lot of tragedy, namely, driving without insurance. People are going to be forced into facility associations, not because they are bad drivers; there are going to be good drivers forced into it. They are going to be senior citizens they are going to be business people, they are going to be unemployed people, they are going to be ordinary working people

These are the people that Mr Justice Osborne and indeed Don McKay, the general manager of the Facility Association, said are going to be forced into the Facility insurance.

The Liberal members like to refer to this as no-fault, but of course that is not the case. What we are talking about in this is what has been recognized as threshold insurance. Threshold insurance has been tried elsewhere, and it has been or is in the process of being abandoned. The latest is—

Hon Mr Elston: That's not so.

Mr Philip: The minister is interjecting that that is not so. Of course, it just goes to show that his research is not only inadequate inasmuch as he does not know how much this program is going to cost, but it is also inadequate in that he does not know what is going on in the United States. Only recently the state of New Jersey has decided that this type of insurance, threshold insurance, is simply unworkable. It does not lower premiums, and innocent victims do not get compensated.

The truth is that when we look at this type of insurance—threshold insurance, not no-fault—broken bones are going to be excluded from compensation. Broken legs, broken arms, fractured limbs, fractured skulls, broken backs are going to be excluded from compensation under this kind of system. That is what this Liberal government is putting in for us. All the pain, all the suffering that victims of accidents are going to have, the loss of enjoyment of life and leisure for the rest of their lives, will not be compensated for as a result of this government taking away the right from ordinary citizens.

What we have in Ontario is the absurdity that this government is adopting solutions to problems that were tried in American jurisdictions in the 1970s and did not work there and are being thrown out by the Americans because they do not work in the United States, and experience has shown them that.

Threshold insurance means that if you are injured, you will be required to sue in order to prove that you have the right to sue. How absurd, how absolutely absurd that in order to have my day in court I must go and prove that I have reached this arbitrary threshold, a fairly high threshold which the government will set, and in order to prove that I meet the threshold, I am going to have to sue in court. Then if I am successful in proving that I meet the threshold, I am going to have to go through yet another long series of delays and legal cases and days in court in order to come up with exactly how much compensation I am allowed. So I am going to have to sue in order to sue.

Hon Mr Elston: You don't understand.

Mr Philip: The minister says that I do not understand. Well, I understood what was presented to the committee hearings because I was there. He was not. I understand because I read the briefs. He did not. I understand what was in the bill, and I was able to ask questions of his parliamentary assistant, who was there, and he could not answer the questions.

The fact is that I came out of one of the hearings and this fellow was scratching his head. He was not a member of the committee. He said, "The Liberals of David Peterson are so deep in the pockets of the insurance industry that they're spitting lint." Those are the words of one of the observers at the committee.

#### 4 (40

Mr Faubert: Yes, he was the member for Welland-Thorold.

**Mr Philip:** The member for Welland-Thorold might have thought it was a very good description.

**Mr Kormos:** Why doesn't Frank Faubert get into the heat of the debate here? On a point of order, Mr Chairman—

Interjections.

The Second Deputy Chair: Order, please. I can remember a very distinguished gentleman by the name of Mr Stokes who presided as Speaker in these excellent chambers. He would often point out by saying, "There is nothing out of order." I would love to do that and I will, but giving the honourable member the benefit of the doubt, what is his point of order?

Mr Kormos: There is a point of order and I know that once you hear me out you will recognize it as well, Mr Chairman. The member for Scarborough-Ellesmere does not participate in the debate, does not know anything about the auto insurance legislation, is ashamed to speak out on behalf of it, yet he wants to make these interjections. If there is anything that is out of order, the whole Liberal caucus is out of order. They are trying to pass legislation that is going to—

The Second Deputy Chair: I would like to thank the honourable member for attempting to bring to my attention a point of order. Just as I presumed, it was not a point of order, but of course we all know you accomplished what you wanted to do, and that was to stand up and make your point. Could we allow the honourable member's colleague the opportunity of continuing with the debate?

Mr Philip: Any time somebody points out to the present member for Scarborough-Ellesmere that he rarely stands up and says anything constructive in the House other than interrupting other members, I think that is probably a legitimate point of order.

Mr Faubert: On a point of order, Mr Chairman-

**Mr Kormos:** He doesn't know what the legislation is all about. Here you go. Watch this.

The Second Deputy Chair: That is right, I know. We will have to hear from the honourable member for Scarborough-Ellesmere. I was gracious enough to hear the honourable member for Welland-Thorold. I think it is only fair to hear the honourable member for Scarborough-Ellesmere.

**Mr Faubert:** The point of order is that he is imputing motive and that is contrary to the standing orders.

Mr Kormos: Which standing order?

Mr Faubert: Standing order 23(d).

**Mr Kormos:** Is that his hat size or his IQ? I do not know.

**Mr Philip:** I do not know what the significance of the member for Scarborough-Ellesmere's point of order was. I did not refer to his IQ, nor did I refer to his age or whatever.

The Second Deputy Chair: Standing order 23(d), "In the opinion of the Speaker, refers at length to debates of the current session, or reads unnecessarily from verbatim reports." It says reading at unnecessarily great length. That is what it seems to say.

Mr Philip: What was I reading from? These are my own handwritten notes. One is allowed to read or refer to one's own notes. If one reads my notes and then reads what in fact the speech was, one will see that my notes are very much ab-

breviated compared to what my speech is, unlike the member for Scarborough-Ellesmere who always comes with a prepared speech that he reads from. He had some difficulty, I know, when he happened to have a wart on his finger and therefore could not follow along. None the less, he does read.

Mr Kormos: But his Crayolas are in great shape.

Mr Philip: His colleagues thought it was very funny, so they obviously know the member for Scarborough-Ellesmere.

Our committee heard from more than 200 delegations. Delegations and briefs were presented to the committee. Over 90 per cent were against the legislation. Those opposing the legislation included consumer spokespersons, psychologists, doctors, lawyers and victims of automobile accidents themselves. Those supporting the legislation with very few exceptions were those representing the auto insurance industry. North America's best consumer expert, Ralph Nader, appeared and said this was the worst legislation ever.

At first the government refused to make public the 39 studies on auto insurance that it conducted at public expense; 38 of these had been completed long before the hearings had begun. Finally, embarrassed by the constant questions from the opposition members on the committee such as myself, the member for Welland-Thorold, the member for Leeds-Grenville and other members of the committee, they had to release the information. When did they do it? After the deputations had appeared.

That is why the member for Leeds-Grenville quite correctly challenged them on this. He said, "Look, we want at least an opportunity to have one or more of those previous deputations that appeared comment on the research that should have been made public had the government not wanted to hide it." By the combined efforts of the two opposition parties then, we shamed the government into at least allow one actuarial analysis of the data.

What did the data show? The data showed that the Minister of Financial Institutions obviously had very good reason for hiding his own research, because the minister's own data, his own actuarial studies, showed a transfer of close to \$1 billion from the pockets of ordinary—

Mr Pouliot: A billion?

**Mr Philip:** A billion, with a B; \$1 billion from the pockets of ordinary citizens to the automobile insurance companies.

What did we have? We asked for the minister to appear to deal with these figures and the research, to answer questions. Where was the minister? The minister was running around the province making his own statements. Here and there, every once in a while, a couple of days before, he would go in along with the insurance lobby that would buy large, three-quarter page ads. They did not want to be accused of putting in full-page ads—they at least have some political smarts—so they put in three-quarter page ads.

Mr Kormos: That is how they spend drivers' money.

Mr Philip: All of the drivers in Ontario, of course, were paying for these propaganda ads that were clearly lies and that we showed were lies in the committee, but the minister was not prepared to come and answer questions on the advertising of the insurance industry. One of the Liberal members of the committee happened to fall into the trap of using their figures. Then she did not know where they got them.

We finally had the minister come into the House having the audacity to say, "Well, all of this is wrong." If it was wrong,

why did he not come out, meet with the committee, meet with the people who were accusing him of these things and answer their questions? No. He had the time to go from city to city a couple of days before the committee met and had hearings and make his pronouncements.

Finally, one of the statements the minister made really hit the committee. He said that in the greater Metro Toronto area—I think it was that; maybe it was just the Metro Toronto area he was referring to. But the greater Metro Toronto area is well known to the Liberals because that is the cash cow they charge extra taxes to, and no other government has ever done that, so they are very familiar with the Metro Toronto area. He said that in the greater Metro Toronto area there will be premium increases of between 8 per cent and 50 per cent.

I want to refer back to the earlier objectives. I said there were three possible objectives for introducing insurance legislation and one of those objectives was to lower premiums. The minister in the middle of the hearings—not before the committee but out there in Windsor, Woodstock or someplace he decided to go to and make an appearance, never on the same day as the committee because somebody might ask him to appear before the committee, but a couple of days before or a couple of days after he would go into these places, and he said that it will cost between 8 and 50 per cent more.

One has to ask: Where is the Premier's promise? Where is the concrete plan to lower automobile insurance? What do we have this bureaucratic legislation for if we are still going to get 8 to 50 per cent more?"

1620

Two other matters are particularly of concern. In the first place the Minister of Financial Institutions refused to appear before the committee to respond to the issues of the various deputations. The Liberal members even used their majority to defeat a motion I introduced that would demand that he be there for the final days of the debate—or request it; we did not even use the word "demand." We said "request."

I guess one must ask, if the legislation is so valuable, why would the Liberals be hiding the minister during all of the deliberations on this? I remember the days, the 42 years—I was not there for all of them—of the previous government. At least, to their credit, when they had an important piece of legislation, the minister would be sitting beside the chairman answering the questions. He did not pass the buck to a parliamentary assistant.

I can remember sitting day after day when Mr McMurtry was in excruciating pain because of a back problem he had, but he would limp in with his painkillers and answer the questions of the members of the committee. That, to me, is a parliamentarian. That, to me, is a man to be respected. That, to me, is a man who is not shoving his responsibility off on a parliamentary assistant.

Mr Kormos: Don't get carried away.

Mr Philip: Well, I am not saying that about any of the present Tory members. My colleagues are afraid I am being too laudatory of a man who was, I think, a good parliamentarian and is—

The Second Deputy Chair: While we have a break, I just want to say to my honourable colleague, who has had many more seniorities in this chamber, but following the debate, as we have from last week, there was an attempt, as I understood it, by members to be brief. I have noticed—

Mr Kormos: On a point of order—

The Second Deputy Chair: I am speaking, I say to the honourable member for Welland-Thorold. I do not know in terms of brief by interpretation under Black's Law Dictionary; I do know there is another more senior member than myself who will be taking the chair in about 10 minutes, and he always seems to be a little more adamant about one's brevity. So I am just cautioning you so that all members might have the opportunity of speaking briefly to the bill in front of us.

Mr Kormos: On a point of order-

**The Second Deputy Chair:** A point of order from the member for Welland-Thorold.

Mr Kormos: In assistance to the chair-

**The Second Deputy Chair:** This had better be good. That is all I can say.

Mr Kormos: I can tell you, Mr Chairman, that we grappled with the problem of how long people should be permitted to make these brief introductory remarks. We all agreed that they would be brief, and that is why my comments were some hour and a half, and no longer. I think it would be less than fair to deny any other member that same period of time. An hour and a half was brief compared to the eight hours I had planned for the introductory remarks. I certainly do not want to see—there are 19 members of the official opposition.

The Second Deputy Chair: I think you have made your point.

Mr Kormos: Thank you, Mr Chairman.

The Second Deputy Chair: I will take it under adviseent.

Mr Kormos: It is always a pleasure to do business with you.

Mr Philip: I agree with your concern, Mr Chairman. I was a member of the Speaker's panel with you for a number of years when we studied these matters. I think you will recall that the relevant issue on "brief" is related to the seriousness of the legislation and—some of us, myself in particular, would argue—to the amount of money being spent.

This legislation sets up a very expensive bureaucracy. It is a transfer of close to \$1 billion from the pockets of taxpayers to the pockets of the insurance companies, and therefore "brief" in this sense may be a little longer than "brief" in the sense of something costing the taxpayers maybe \$100,000. I am sure that "brief" is also in the context of the length of hearings. We had a number of very learned, comprehensive, specific and highly technical briefs. So I am trying to be brief in that context and I am sure that my fellow member of the Speaker's panel will understand my arguments in this regard.

I would also be a lot briefer if I did not get constant interruptions from members of the opposition. I said "opposition"; I guess I am projecting into the future. After October that is probably how I will have to refer to those who are left on the Liberal benches.

A second disturbing matter is that this bill sets up a massive bureaucracy and the government has no idea yet what it is going to cost. We know what the previous bureaucracies, which did not help, cost. We know as a matter of fact of one leading public servant who was asked if they would consider leading up this massive bureaucracy and the person said no. It simply was not something this particular person could live with. I admire somebody who does that.

More and more we see evidence that the Liberal Peterson government has been using its massive authority in choosing to take care of the interests of large corporations and turning its back on the ordinary citizens. In this case the insurance industry, which was the largest single contributor to the Liberal campaign, is the beneficiary of this. I do not know what effect that had on the Liberal government. I do not know why they wish to do that, but I suggest that this bureaucracy that is being set up will be judged eventually by the insurance industry itself as unworkable.

These are the authors of the bureaucratic rent control system that does not work and creates a problem for both tenants and landlords. The same authors are setting up another massive, unworkable bureaucracy that is not going to work for consumers in the case of insurance; I suggest to members that in the long run it is not going to work in the interests of the insurance companies either.

I remember that very specific plan the Premier promised and I am saying to members that we have waited for three years and we have not seen the specific plan. If we look at this bill, this bill is not a specific plan that will lower automobile insurance.

Over the last two years we have seen how the Peterson Liberals have allowed auto insurance premium increases of 18 per cent. They have now introduced a scheme that not only allows premiums to climb by at least 26 per cent above the 1987 level, but in some areas, such as the Metropolitan Toronto area, by the minister's own admission there will be increases of 5 per cent to 50 per cent.

Ontario drivers will be paying more and getting less. Consumer advocate Ralph Nader described the Liberal scheme as selling half a loaf of bread for more than the original cost of the whole loaf. The Liberal scheme will not provide adequate benefits for accident victims. In fact their so-called no-fault, which we call threshold and anybody who examines it will understand it is threshold, would limit the right of 95 per cent of car accident victims to sue. A victim would have to be dead or close to it before he or his family could sue. Those with less severe injuries would be eligible for set benefits regardless of who caused the accident.

While other no-fault plans also limit the right to sue, accident benefits are high enough to properly compensate the victim. Indeed, under many of those, the victim still has the option to sue if he does not wish to accept the no-fault provision. I believe that all this bill does is give one bonanza to the insurance companies, which want to keep benefits as low as possible. Indeed, if we look at the actuarial tables and figures—the research that finally the Liberals had to table—we can see that this is exactly the case.

#### 1630

Remember that the new commission to be set up under the Liberal plan will not have the power to set rates but only to review them. This is just another major concession to the insurance industry and a cost to the consumer, in terms of taxes, for a bureaucracy that has no teeth.

As if this is not enough, there is a further \$143-million giveaway to the auto insurance companies in the way of tax concessions. Auto insurance companies will no longer have to pay \$46 million to \$48 million for medicare annually, or \$95 million for the three per cent tax levy on the insurance. It is a massive giveaway of our tax money, without any proof that it is going to lower the insurance.

The Provincial Auditor, and indeed Auditors General around the world, are now looking at that very thing. They are saying that if a government decides to spend money, it should have concrete proposals, it should have objectives that are measurable and it should be able to prove, within a reasonable proof, that it expects to meet some kind of objectives. We have not had any proof, even any attempts to prove, by the government, during all of these hearings, that this massive giveaway of tax money would in fact lower premiums.

The proposed plan was attacked by dozens of groups and individuals. We heard attacks from crash victims, from lawyers, from health care workers, from labour leaders, from consumer groups. The insurance companies were among the few that applauded it. In fact, they could not even get the brokers on their side, because many of the brokers—I had a call from one today saying: "I hope you defeat this bad legislation. It's going to simply mean more headaches for me. I'm already getting complaints from people who are my customers and I'm going to have even more under this system."

What we have is a scheme that, while the Liberals said that they listened to reason, their arrogant track record since forming a majority government in 1987 gives us very little cause for optimism. We had all of these deputations that appeared. They presented concrete evidence that this was bad legislation, that the drivers of Ontario deserved more. The Liberals said they were listening but in fact turned their back on them.

It is a matter of record that the automobile insurance industry was the only major witness behind this legislation. What the Liberal scheme means to the average consumer is that sick benefits of workers have been expropriated without compensation, taken away from people who have negotiated them in lieu of wages, in good faith, taken away and given to the insurance companies without any kind of compensation.

When we look at some of the more totalitarian regimes that are now falling apart, we are shocked that that kind of thing would happen, and indeed it was not so long ago that a former Liberal member of this House introduced a bill called the Right to Own Property. Well, sick benefits are property. They are the property of working people, and to simply take sick benefits and transfer them, take them away from the ordinary people and transfer them—

Mr Faubert: That's not true and you know it.

Mr Philip: Mr Chairman, I believe there is a rule against calling a member a liar and I believe the member for Scarborough-Ellesmere has just broken that rule. Would you rule on that?

The First Deputy Chair: I confess that I did not hear the member for Scarborough-Ellesmere say anything on the record, nor did I hear any remarks, but I would remind the member that the chair has indicated that we would like to have some brief opening remarks to facilitate matters. The member has been speaking at some length. I would appreciate it if he would conclude his remarks, because I do think that we have another member who served on the committee who would like the opportunity to make some brief opening remarks. Then I think it would be appropriate, if the minister chooses, for him to do that, and then we would move to clause 1.

Mr Pouliot: Whoa, whoa, whoa.

The First Deputy Chair: I am going to remind the members that, at this point, you are operating at the pleasure of the Chair. I am quite prepared to hear some brief opening remarks, we began this process the other day, but we are in a somewhat

tenuous position here. We are not going to restrict anybody's ability to speak to each and every clause of the debate, but irrorder for us to be in order, we should have before us a matter to be considered.

The brief opening remarks are a courtesy to members. I would remind you of that. We have had fairly extensive brief opening remarks now. I would ask the member for Etobicoke-Rexdale to conclude his remarks. I would then like to see if there are other members on the committee who wish to make some brief remarks, and then we will proceed to clause 1.

Mr Philip: Perhaps the Chairman was not in his chambers watching the debate and therefore would not be aware of the interesting exchange that the former person in that chair and I had, in which I reminded him that brevity is defined, and indeed it was—

The First Deputy Chair: Thank you. Order, please. Take your seat. Are there other members who wish to make some brief opening remarks?

Mr Philip: I am making some. I am challenging-

The First Deputy Chair: No, you are not.

Mr Philip: Mr Chairman, you have made a ruling. I am trying to respond to your ruling, and I am asking for the indulgence of the Chair. I have only spoken for half an hour, and it is not uncommon on a major bill to allow a member at least an hour and a half for some opening remarks. I would ask the Chair to show some respect for the members of this House.

The First Deputy Chair: The Chair is considering what has just been said and is having some difficulty with it. The Chair is probably at fault here. The Chair sought a means whereby members could express some interest before the debate on the bill began and suggested to the House that some brief opening remarks were in fact part of our practice here, even though they are not really provided for in the standing orders. I suppose I could have allocated some time for each of the opposition parties and the critics and the minister to do that, because that would be our normal practice. It seems unwise to proceed much further than that, because I cannot really find a place in the standing orders where that is provided for.

The members would be aware, of course, and it has already been indicated by, I think, more than one member that they wish to address each and every clause of the bill. That is certainly appropriate and we will do so, with unrestricted debate. One cannot muster an argument that we are in any way inhibiting the debate.

My concern is, I should like to have something before the House for the House to consider. At the moment, I do not have anything, so I would appreciate a little co-operation from the members. I offered to provide an occasion when you could make some opening remarks. I asked for some brevity; I did not push the point. I think at this point in time, where we have had a substantive amount of debate so far, it is not unreasonable for the Chair to ask for some co-operation and to ask members to conclude their remarks.

I am mindful that we are just at the beginning of a very long process of clause-by-clause debate on the bill, so there will be ample opportunity for any member who wishes to to participate in the debate. I do not think it is unreasonable to ask the member to conclude his opening remarks now, mindful that in a few moments' time, when we do have something proper before the House, you will have virtually an unlimited opportunity to debate whatever you want.

Mr Philip: I require a few more minutes to conclude my opening remarks. I would point out to the Chair, as I was trying to point out to him before he interrupted me earlier, that the previous Chair and I both agreed that the brevity relates also to the seriousness, and indeed to the amount of money that is being spent. I have used up half an hour of the House's time. We have had extensive hearings on this. We are dealing essentially with some of the research on the bill. I would ask for another 10 minutes to conclude—

The First Deputy Chair: Order, please. I am quite happy to extend a few more moments for the member to conclude his remarks. What I am unhappy with, and what I will not take, is that I will not sit in the chair and have members argue with me. If you want me to, I will be as abrupt as members would like, but I cannot argue with you from this position, so I do not intend to. But what I do intend to do is that if members choose to argue with the Chair from this position, that member will not be heard while I am in this chair. So it is your choice. You can moderate your language if you like; you can argue with the Chair if you like, but not for very long. I have asked you to conclude your remarks. Please do so.

#### 1640

Mr Philip: I would like to deal with the points I was dealing with before I was interrupted by some of the members from the other side. Sick benefits, which workers have bargained for, and indeed which they have collectively bargained for in places like Oshawa and other communities around this province, are being expropriated without any kind of compensation. Premiums are increased while coverage is being reduced. Most innocent victims will lose 60 per cent of their benefits. Safe drivers will have premium increases, while high-risk drivers will get a break. Drunk drivers will be treated as well or better than their victims. That is the testimony we heard from the various people who appeared before us.

Auto insurance companies will save some \$823 million a year, and that is not counting the direct giveaways from the taxpayer. Compensation for pain and suffering will be eliminated for most victims, and we know that. That is what is in the bill. And indeed, children, homemakers, small business people, union members and teachers will be discriminated against by in fact not being paid for the pain and suffering which they endure as a result of an accident.

What we have here is a bill that is a massive sellout of the average consumer, and indeed of those people who believed the Premier, who promised that he had a specific plan to lower automobile insurance. This does not lower automobile insurance. This cuts out a lot of benefits that people already had. This will mean that you pay more, you get less and the only beneficiaries of this horrible legislation, as we found out in all of the hearings that we went through, are the insurance companies, the sponsors of the Liberal Party and the Liberal government in this province.

The First Deputy Chair: There are other members who want to make some opening remarks. The member for Leeds-Grenville.

Mr Runciman: Thank you, Mr Chairman, for the opportunity for some opening remarks. I appreciate this precedent-setting initiative, although I am sure it is aggravating to certain members of the assembly, but I will try to condense my comments. As you have indicated quite clearly, we are going to have opportunity in the clause-by-clause to deal at length with the specific sections of the legislation.

I do want to talk about a couple of things that I have not had an opportunity to discuss. The minister was chastising me in the House the other day when I asked him a question in respect to a letter distributed to the media but sent to the Premier by the president of Kingsway General Insurance, expressing concerns about the advisability of pressing ahead with this legislation when there are some very serious doubts about its constitutionality.

The learned QC Gordon Henderson, a former senior partner of the Attorney General's, has indicated in a legal opinion that he believes that the matter of the bill should be referred to the Supreme Court for an opinion on its constitutionality, and the president of Kingsway was expressing his concern, as an insurance company executive, that if indeed two or three years down the road the legislation is found unconstitutional, what are the implications for the insurance industry, and not only for the insurance industry but for consumers and for taxpayers in this province? He made it quite clear that if indeed that does occur at some point in the future, the liability falls upon the shoulders of the government of Ontario.

Quite clearly, a similar situation developed in the province of Quebec when it moved to a pure no-fault system, where a challenge was entered into and it was determined to be unconstitutional and the government was faced with the bill as a result of that court decision.

It has some pretty significant implications for all of us in this province. The minister scoffs at the suggestion. He makes light of it and suggests that a director of Kingsway, who also happens to be aligned with the Committee for Fair Action in Insurance Reform opposing this legislation, had some way somehow pressured the president of Kingsway into writing that letter and sending it to the Premier.

I want to say that the gentleman who was named in the House—the minister later got up and apologized for giving incorrect information in respect to his responsibilities in that particular firm—was very much disturbed by the comment made by the minister. I also want to say I got a call from the president of that insurance company, who also was very much disturbed and said that that gentleman had no input whatsoever and in fact was not even privy to the contents of that letter.

So I think when the minister gets on his feet, as he does day in and day out when he is asked a question, and chastises members of the opposition for not having the facts straight, the gentleman himself should make sure that he gets the facts straight completely—completely—before he makes that kind of comment in the Legislature of Ontario, before the television cameras, before the media. It has an impact in questioning the intent of a number of individuals and it is regrettable indeed, but I think it is indicative of the way this government has dealt with the insurance issue from day one. It is a sad litany of disaster after disaster, at considerable cost to all of us as tax-payers of this province.

I have gone through this at length and I am not going to spend a great deal of time on it today, because the members have all heard my views in respect to the millions and millions of dollars that have been wasted, essentially, by this government through—the most despicable waste of money, I guess the most offensive waste of money, has to be with the failure to follow the recommendations of Supreme Court Justice Coulter Osborne. That most extensive study of the insurance industry in the history of North America came out with recommendations quite different to those which the government finally adopted. That significant study cost us all as taxpayers \$1.4 million.

The minister will get up and say, "We did take a few things out of that report, we didn't completely ignore it," but the bottom line is that the significant recommendations of Osborne were indeed ignored. The warnings expressed by Osborne in respect to threshold no-fault were indeed ignored.

We can move on. When the recommendations of Osborne came down in February 1988, the Premier looked at that. It did not fit in with his scheme of things, apparently, so he lobbed the ball into the court of the Ontario Automobile Insurance Board, a group of Liberal worthies who have been at the public trough for a period of time, at a cost of at least \$11 million to the taxpayers, and I want to say that I will give them credit. They took a look at threshold and reached, for the most part, essentially the same conclusions as Justice Osborne. They were very much concerned about threshold no-fault and its impact on innocent accident victims in Ontario. Like Osborne, they came to the conclusion that any benefits gained by moving to threshold no-fault were going to be gained on the backs of innocent accident victims in this province.

Again, I want to talk a bit about that letter and the whole question of another letter that we were made aware of as members of the House, inadvertently, I believe, by a member of the executive of the Insurance Brokers Association of Ontario, and that was a comment made in respect to the changes that the minister was bringing in, the \$600 a week payments and the other one in respect to disability payments. The insurance industry, quite clearly, was made aware of those changes before the House.

Then we saw a press release from the brokers association, a congratulatory letter to the minister that was dated October 1989. This is before we got into the hearings on Bill 68, so the insurance industry was privy to these changes, the intent of the government in respect to the amendments to Bill 68, prior to the hearings being conducted, prior to us touring the province, hearing all of the moving testimony that we heard, and then he makes these announcements.

This has been a staged exercise in respect to: "Okay. The opposition want us to go through this public hearings process. We'll give them that process, but nothing's going to happen out of it. We're not going to listen to the testimony. We've made our decision, but we're going to stage the public relations aspect of this so that we go through the exercise. Then a couple of weeks later the minister is going to say, 'Yes, we did listen; indeed we listened, and as a result we're bringing in a couple of amendments."

Clearly, that was the intent of the government, by the letter from the Insurance Brokers Association of Ontario congratulating the minister on those initiatives before the hearings even started.

#### 1650

I believe the members of that committee on the Liberal side were misled by the minister and perhaps by the parliamentary assistant to believe that those changes were going to be brought forward in the last days of the hearings in the clause-by-clause conduct. We had a couple of members of the committee indicating to us: "Look, we are going to see changes made. We are going to be bringing in amendments which will indeed address some of the concerns that have been expressed." But that did not happen.

The Liberal members should be embarrassed. Perhaps being Liberals in this province they just do not know how to be embarrassed, if they look back at their history in government over the past five years.

In essence, I think the privileges of the members of thi House, the privileges of the members of the standing commit tee, were violated by the government and by this minister is respect to the way he has dealt with this issue; in respect to taking into his confidence the members of the insurance in dustry who benefit by this legislation in a significant way, but not taking into his confidence the members of this Legislature the very members of the standing committee of this Legislature who were trying in a serious way—at least, most of us were—tedeal with the concerns being expressed to us across this province and in hearings here in the city of Toronto.

I have said before, this is an odious piece of legislation, cynical and fraudulent exercise designed to mislead consumer and to scapegoat the legal profession for this government's continuing mismanagement of the insurance question.

I have talked about my personal distress in respect to the way the Liberal members of the committee acted during the hearings process—or failed to act might be a better description. We heard some significant testimony, some very moving testimony.

**Mr Neumann**: What about the way you acted. I saw you on television one night.

Mr Runciman: I want to indicate I am being chastized Since the viewers do not understand this, I am being heckled by a member of the Liberal Party, one of the gentlemen who i chafing at the bit who would do virtually anything to get into the executive council and is willing to compromise his principles, as a great many members of this Legislature on the Liberal side apparently are prepared to do.

I want to say I was very much moved by the testimony wheard in that committee. Perhaps over the nine years of my service in this House I have not been moved in a greater fashion than I was during those hearings.

The witnesses appearing before us, people who had no ax to grind, no vested interests, people who had suffered seriou accidents in this province, were genuinely concerned about thinterests of innocent accident victims in the future if this legis lation goes through. But what happened? Again, as I said, the Liberal members very disappointingly failed to heed any of thi testimony.

Mr Neumann: We behaved with more dignity than you.

**Mr Runciman:** Again, I want to say that I indeed lost my temper on one occasion and I want to put this on the record since that is being brought forward here.

We had significant documentation placed before us near the end of the proceedings, actuarial studies and reports; I thinl some 35 reports. This was after we had heard all of the wit nesses. The government dropped this in our laps and said "Here it is." I had made a plea to the Chair, "At least let us have one witness reappear before the committee to respond to all thi documentation." I suggested that I would give up my question ing time, 15 minutes, if we would allow this expert witness Professor Jack Carr, an economist at the University of Torontc to make some comment to the committee in respect of the reports tabled with us.

We made an agreement. I gave up my questioning time. The member for York Mills agreed to my giving up my questioning time so Professor Carr could testify. We went around the table The member for York Mills had his questioning time and the the Chair called for Professor Carr to come forward. The member for York Mills then interjected and said: "No, I do not thin this is a good idea. I do not think we should do this." After we

had a clear agreement, after I had specifically given up my questioning time, the member for York Mills tried to renege on that deal.

As I said earlier, this was a very emotional time for those of us in the opposition who cared about what we were hearing and wanted to do something about what we were hearing. To have that sort of intervention on the part of the member for York Mills, I did indeed lose my temper and use some language which I am not proud of as a legislator. But the Liberal members of that committee should not be proud of their actions or lack of action in that committee. They failed to heed completely the expert testimony, the overwhelming testimony, in opposition to this legislation. They know this is wrong for the province.

We have members of this Legislature on the Liberals' side; I see one sitting on the back bench who has some concerns; we know the member for Windsor-Walkerville has expressed some concerns publicly, and a number of others have indicated their concerns about this legislation and its impact, but I do not see anybody standing up publicly. I do not see anybody standing up in this Legislature. Maybe it is happening in their caucus, but I seriously doubt it; I seriously doubt it when I hear the kind of comments, the rubber-stamp mentality, coming from the member for Brantford and others in this Legislature daily in respect to this issue.

I was most disappointed in the member for Hamilton Centre. She has had some experience and training in respect to dealing with head injury victims. I was optimistic at the outset of those hearings that she was going to play a very active role in drawing out those concerns and make some meaningful input into the deliberations, the final outcome of the committee and the final report, but that did not occur.

We see this all the time. I have been through this exercise as a government backbencher, a member of cabinet, a member in the official opposition and now in the third party. I am not sure if the next step is out the door or back over there, but I am going to be optimistic. I have seen this situation where the desire to gain a cabinet seat is all-encompassing, it overwhelms logic, it overwhelms common sense and it overwhelms the desire to do the right thing.

I want to say to members—I have said this before—that when they reflect back on their legislative careers and on legislation like this, they are not going to have much to be proud of, when they did not have the intestinal fortitude to stand up at least in their own caucus and very strongly express their concerns and doubts about this.

Mr Chairman, if you want to give me a signal, I would like to leave the minister some time. I know he would like to respond to some of the comments.

Hon Mr Elston: If I might, Mr Chairman-

The First Deputy Chair: I just want to remind members that the member for Leeds-Grenville has the floor to make some brief introductory remarks. When he yields the floor, it is the Chair's intention to offer the minister the opportunity to make some brief remarks, and then we are going to move to section 1. I would ask you to conclude in your own good time, and then we will go on in that way.

Hon Mr Elston: I think that would be appropriate. I just want to note that it would be nice to let the former member for Essex North, Dickie Ruston, who is in the gallery here, have a few remarks. It would be interesting if we could acknowledge his presence here. He says that the New Democratic Party and Progressive Conservatives members are making, as usual, the

same general contribution to the level of debate as he always understood them to be able to contribute in this House.

The First Deputy Chair: That is all entirely out of order, but there is a reason why he is smiling and I am not. The member for Leeds-Grenville.

**Mr Runciman:** I thank the minister for that valuable, profound contribution. We are getting used to that sort of input from him.

Mr Chairman, before we get away from that, I do not want to offend you in respect to the decision you have made in terms of allowing members to have this opportunity. If you feel I am getting to what you believe is the appropriate time, just let me know and I will be glad to give the minister the appropriate opportunity.

We had a letter distributed today from the Committee for Fair Action in Insurance Reform, which I believe is an open letter to the Premier, indicating that it has on a number of occasions offered the Premier and the minister the opportunity to debate publicly, I gather, this whole question. Up to this point, the offer has not been taken up. What they are suggesting is that, with the upcoming Liberal policy conference taking place in Windsor, the Premier use the influences of his office to ensure that a debate takes place on the floor of the policy convention with FAIR and other interested parties and the Premier—or perhaps the minister, but better yet the Premier, the guy who got us into this mess—representing and giving the government view of the issue, because we certainly know that a lot of grassroots Liberals in this province are very concerned about the legislation.

#### 1700

We have had some interjections here from the member for Sudbury. I gather his own riding association has expressed concern, and his reaction was: "Let them eat cake. Who are these people? They are only my riding executive. What do they know?" It is like the Premier. I think this whole arrogant attitude flows down from the top guy, who refers to a mayor of a municipality in this province as "a bit player." When he is dealing with a very controversial and sensitive issue, he makes comments like that, and I think that sort of contempt for other opinions, contempt for other views—"We are not willing to listen; we are not willing to take heed of any advice you may be willing to offer"—extends even to Liberal riding associations, and you have Liberal members like the member for Sudbury dumping on his own riding executive.

I do not know what that says about the prospects for the member for Sudbury in the future. Maybe his view is that he is going to not only publicly dump on his riding association executive, but he is going to make some effort to have a coup and remove them at the next annual election. I am not sure what his intentions are, but I think it is unfortunate that this kind of attitude is prevalent in the Liberal back benches and is very clearly expressed by the member for Sudbury by his interjections in this House during debate on Bill 68. They are certainly not useful in respect to talking in any substantive way in respect to the legislation.

Much of the unfairness of this legislation stems from the very restrictive threshold. It is the most stringent threshold in North America, and I think some of the actuarial studies indicated that about 96 per cent of innocent accident victims in this province are going to be barred from access to compensation in excess of the no-fault benefits incorporated in this plan. I talked about the question of the constitutionality of this legislation,

and certainly it deals most specifically with that particular question

Also, I do not want to spend a great deal of time on the threshold. We are going to be doing that later, and of course that is a major concern of many of the witnesses appearing before us, those from the Head Injury Association of Canada and other interested groups, in respect to the very severe restrictions being placed upon innocent accident victims by this very tough indeed threshold, which seems to benefit no one other than the insurance companies in this province.

I want to talk briefly about the cost to taxpayers. I was taken to task by the parliamentary assistant last week when I brought these figures forward, but they are figures provided by a respected economist—I mentioned his name earlier, Professor Jack Carr—the \$143 million in tax breaks through the OHIP subrogation agreement, the tax on premiums of \$143 million, \$480 million in compensation payouts which the insurance industry will no longer have to make, the \$150 million in economic loss payouts which the industry will no longer be responsible for.

I want to say Professor Carr based those figures on the 90 per cent figure not being able to break through the threshold, but the actuarial studies done by the government indicate that it is going to be 95 to 96 per cent who will be unable to break through that threshold. So the total figure that we were using in committee hearings, a \$773-million windfall to the insurance industry, is low, and in all likelihood, when you calculate in the new figures based on the actuarial studies done by the ministry, we are looking at probably in the neighbourhood of a \$1-billion windfall to an already rich and powerful industry.

Another element in respect to the taxpayers getting it in the neck is the question of dispute resolution and the bureaucracy the government is going to have to establish to deal with this legislation. The amazing thing is that when I brought this question up early in the hearings and asked the deputy minister in respect to the cost, really there had been no real effort to quantify the cost. We talked about the dispute resolution mechanism embodied in this legislation and other elements of the bureaucracy that are going to cost us all, and there was simply no idea. Near the end of the hearings the parliamentary assistant was guessing when he took a look at the costs of the operation of the insurance board and the superintendent's office, etc. He said, "Maybe it will be in the neighbourhood of \$11 million to \$12 million a year," I think were the figures he used.

That scares the bejabers out of me, and it should scare a lot of taxpayers in this province. We are diving into this thing. As usual when they are dealing with insurance, they really do not know what they are doing. They are forging ahead and all of us are going to pay the price at some point in the not-too-distant future. Obviously the government is hopeful that it can get over the hump of the next provincial election without this thing coming back to haunt it, but it is eventually indeed going to come back to haunt all of us. Most of us do not believe we are ever going to be in a traffic accident or are going to be impacted upon by this sort of legislation, but if indeed it does happen to members or a member of their families, they are going to very quickly locate the weaknesses of this legislation and its devastating impact on them and members of their families and on families right across this province.

I talked about the windfall to the insurance industry and I have said that the Premier has been more accommodating than the Holiday Inn. The offensive part of this, of course, is to see the Premier in bed with the industry. We have also talked about the industry, and I know the industry; we have worked with the

industry. I have been the insurance critic for a number of years I have a lot of friends in the industry, and of course we have crossed swords on this particular issue. But I think one thin they are failing to heed when they are dealing with this government is that it would flush that private-sector industry down that toilet in the flick of an eyelid if it thought it was in its political best interests.

They really do not care that much about the private sector. We can look at a host of things that they have done over their five years in office. I have said to my industry friends, "Look be cautious, because if this doesn't sell publicly and politically you're going to be in very difficult straits indeed if these guy are still the government of Ontario when that day arrives."

I want to say that the brokers in the small insurance companies have to be very much concerned as well, because it is no going to be that much of a difficult exercise to replace brokers Look at centralized selling; look at using the host of ways that will indeed put small brokers and small insurance businesses in this province out of business. Another kick in the pants to smal business and industry in this province. I have been very concerned about that.

In wrapping up, I think the most damaging element of this of course, is its impact on the most needy in society, the poo and the unemployed, the people who are really going to be hi hard by this legislation. These are people who cannot afford o do not have access to collateral benefits. They do not hav access to salary continuation plans and to a host of othe benefits that many of us do have. As a result, they are going to be presenting a much higher risk to an insurer. When an insure is looking at an application from someone who is a less for tunate member of society and he notices quite quickly that the individual does not have collateral benefits which take precedence over the no-fault benefits in this plan—I want to point that out—that individual poses a higher risk to that company. What is he going to do? He is going to refer that in dividual to the Facility Association.

What does that mean to that individual attempting to be come insured? It is going to mean perhaps double, triple the cost for his insurance policy. It is the really needy in society a well, the less fortunate, who are being hurt by this initiative undertaken by the government.

Over the next days and weeks I am going to have, hopeful ly, ample opportunity to expand on my views on each and ever section of this legislation and express my very legitimate serious concerns about this legislation and its impact on the people of this province.

#### 1710

The First Deputy Chair: Does the minister have any brie opening statement that he would care to make?

**Mr Wildman:** Would it be in order for me to make som comments on behalf of the electors of Algoma?

The First Deputy Chair: Not at this point, it would not.

Hon Mr Elston: It has, to say the least, been somewhat disappointing, and I understand your tolerance for brief opening statements and I appreciate your exchanges earlier on today with some members who wished to go even further than whave. This is the second day of this bill being in committee the whole, after we had a full day's debate receiving the report both of which are highly unusual, and to this point we have no yet gotten to stage 1. I realize that this is generally not where we start talking about the bill in principle, because we have moved beyond that in the process which we are at.

The speeches, I think, have been in line with the expressed ntention, both in the House and outside, to the opponents of the egislation and to the press and otherwise, that everything will be done to preclude the passage of this bill and that people will prevent it from coming on. I only wish to indicate to the people of the province that we wish to move and we wish to put this in place so that we can ensure that there will be savings for the people under this insurance plan, so that not only the insurance plan but the comprehensive nature of the other elements of this plan, about which the opposition never speaks, will be implemented to the fullest so that we can reduce the accident rates.

I would be pleased just to conclude my remarks by indicatng that this is a positive step forward, that in fact there are penefits in this legislation, that in fact they will contribute over he longer term to savings to the people of the province and allow us to have affordable insurance in place and preclude hose people from making decisions, such as that they might have, to drive without insurance, the types of examples which were raised earlier by the member for Etobicoke-Rexdale.

This is a good piece of legislation. Let's get on with it. I am pleased to see that we now move to section 1.

The First Deputy Chair: Members have indicated that hey wish to comment, at the very least, on a clause-by-clause pasis, and we certainly can accommodate that. We have an indication of several amendments from the government. We have not yet received any proposed amendments from anyone else. I would remind members of the standing order requesting you to make such amendments known where it is possible.

On section 1 of the bill, any comments?

Mr Kormos: Prior to doing that, the Chair might recall that last time we were talking about this, the minister had talked about a number of amendments and a number of amendments were tabled. Some objection was made because at least one of the amendments that was referred to was not tabled and reference was made to the two-hour rule. I am wondering now, in view of the fact that we are not talking about hours but days, whether we could clarify, clear the air in that regard. Are there any more amendments, especially the one that the minister referred to but did not table last time we were here? I think that is important.

Hon Mr Elston: The amendments about which we spoke were enumerated. I read them out in terms of section by section, enumerating them for the Chair and for the table. They were all accounted for. There were 30 pieces that really dealt mostly with a lot of technical language cleanup, and here we are back to where we were at the start of the committee of the whole debate.

Section 1:

The First Deputy Chair: We are now on debate on section 1. Are there comments, questions on section 1?

**Mr Kormos:** I wonder whether the minister could start by explaining what this section is all about. Why is there a need to define "accountant" under an insurance act?

The First Deputy Chair: Before we proceed much further, we are on section 1 of the bill. I will point out to you what might seem strange to some people. Members are quite free to comment, to ask questions, to give their opinion on a matter. The Chair is in the unusual position of making sure that each member who wants to do such things has the opportunity to do so. But the Chair, of course, cannot force anyone to answer or to comment in return. The Chair will provide the opportunity

for each member to make whatever comments he wants and will look to whoever might be responding to such things, but if he does not want to respond, there is nothing the Chair can do that will make him respond.

Hon Mr Elston: The opposition parties said they would talk about every clause. "Accountant," as the honourable member well knows, is merely to refer to people who can do audits. I will tell you that this is another of their time-wasting activities.

**Mr Wildman:** Perhaps the minister could tell us what section of the Public Accountancy Act he is referring to here.

Mr Kormos: I appreciate that the Chair cannot force anybody to answer a question, but the Chair can surely inquire of a person whether he intends to answer the question. I am interested in the last question and I saw the minister shake his head. I know that my friend the member for Etobicoke-Rexdale said he heard the minister shake his head, and I appreciate that could happen as well. But I saw the minister shake his head in the negative. Am I to take that as meaning that he does not know or that he does not want to? I think that is a question of the minister.

Hon Mr Elston: He can take it any way he wants.

Mr Kormos: I am interested as to why this particular definition is contained in the Insurance Act. What relevance does it have to any of the other amendments? If it is merely curing a defect that was present in the previous act, so be it. But why is it relevant or significant to have "accountant" defined under the Insurance Act? That is a question to the minister.

It is almost tautological to say, "Well, it means what it means." Surely the minister has some explanation as to why this is a part of the amendment contained in Bill 68.

Hon Mr Elston: The honourable member has indicated that he wishes to waste a lot of time and he is attempting to do that with these questions. We have dealt already in the hearings, which were extensive, more than five weeks of committee hearings where we not only passed section 1 but in fact got all the way past section 50, up to about section 55—the honourable members of the opposition are again wasting time and are contributing only to a delay in the passage of the bill. That is their game and I guess we will have to go through this series of questions with them, but it is really highly unusual to ask questions such as that after having reviewed all this material in the committee stage beforehand.

Mr Wildman: Just in response to the minister's latest comment, I would say that from our point of view, we do not consider it a waste of time to try and stop this legislation. As a matter of fact, we consider that part of our responsibility because we all know that this legislation, if it is allowed to pass, will in fact not mean lower rates but will mean increasing rates and will not be the kind of protection that the people of Algoma expect me to require of this government in terms of auto insurance. If the minister considers this a waste of time, perhaps he also considers it a waste of time to meet his responsibility to the people who have to buy auto insurance in this province.

Hon Mr Elston: We are meeting the responsibility to provide a new plan, a reformed plan, for the people of the province which will provide good coverage through auto insurance at reasonable rates. Now that the honourable gentleman, as he most of the time is and as his career here in the Legislature has shown, is up front about what the opposition is doing—ie,

preventing the passage of this legislation, in fact will never co-operate in dealing with any of this stuff—it is nice that the people of the province know what these last two days of games have been about as far as the opposition people are concerned.

1720

Mr Runciman: I would like to make a comment in response to what the minister is saying. He has suggested that we had carefully reviewed this legislation during the committee hearings process. I know that a number of us were very offended, to say the least, by the way this was handled by the ministry, the government and the officials represented at the hearings process.

The minister said we had every opportunity. I want to say that we did not have every opportunity at all. We had a number of actuarial studies which were conducted by the government, studies that it had completed much earlier on in the game prior to our conducting hearings and certainly in the midst of our hearings, which could have been provided to the committee, which would have given us a clearer indication of expert views on its impact on the consumers of this province.

They failed to provide that information until the last day of public hearings. If the minister calls that co-operation, if he calls that assisting the committee in making wise decisions and assessments of this legislation, I have to take strong issue with that. I think quite the contrary. I removed myself from the committee during the last two days of clause-by-clause because this minister had in his hands at the end of December 1989 rate submissions by the industry.

Hon Mr Elston: They didn't come to me. They're not mine.

Mr Runciman: It was gazetted that the industry was required to have its preliminary rate filings in by the end of December 1989 and its final rate filings in by the end of January. We were in the middle of hearings. This minister was out making public statements about rate increases. I think it is a backhanded slap in the face to members of the committee who were conducting hearings and trying to reach some conclusions in respect to this legislation and its impact on the people.

The minister had that kind of important of information and was unwilling to make it available to us. That offended, I think, all of us, certainly on the opposition benches, and it should have offended the Liberal members of the committee as well. I would like to see the minister respond to that. I am sure he will take the opportunity to do so. Perhaps we can continue this debate, because it is something that has bothered me.

I have been very much agitated about the fact that all of that information was in his hands, not all of it perhaps in terms of the actuarial studies—I am not sure what the time line was on that—but certainly some of those actuarial studies were done well before the hearings process got under way. Some were completed during the process of those hearings and could have been made available to the committee, could have made available to people like Professor Jack Carr for a careful assessment, and others who appeared before us as committee witnesses. That could have had a significant impact on their testimony because they would have had the relevant information before them in order to make a careful assessment of the legislation and its impact.

The government, through its own efforts, tried to obscure the real cost of this from the people of the province, tried to obscure the very negative impact of this legislation, the fact that the threshold might impact on up to 95 or 96 per cent of innocent accident victims in the province rather than the 90 pecent figure that had been used up to that point or during the committee hearings process.

The fact was that the minister, in this House and in public forums, had said, "We are looking at a zero to eight per cen increase," and then went out saying, "There could be increase of 20 to 25 per cent, for some drivers," people with Jaguars etc., that sort of thing that he was talking about, making those kinds of comments, those kinds of public statements in the middle of a public hearing process. Again I say now, as I said then that it was an insult to the members of the committee and the members of this Legislature and, in my view, a breach of the privileges of members of this assembly.

When the minister stands up and says, "We had ample opportunity to review this legislation," he is very much incorrect We had anything but every opportunity to really appreciate and have an opportunity to explore the very significant implications of this, because the government and that minister sitting over there refused to provide the information until the last moment.

They provided the actuarial studies on the last day of public hearings. They provided them only after I had made a submission under the freedom-of-information act. Finally, on the last day, when they could minimize the damage to themselves in terms of the public impact, they brought this in and dropped it on our desks.

Then they tried to refuse the opportunity for an expert witness to have a lousy 15 minutes to respond after he had had about half an hour to review the documents, and he was given a tough time by the member for York Mills who harassed the opposition members on that committee on a daily basis. Talk about obstructionist tactics. They were certainly exercised by that particular member on a daily basis.

To refuse that individual a measly 15 minutes to try to have some input into the implications of all of those actuarial studies I think speaks volumes about the intent of this government; the intent of certain members on the Liberal benches of the committee; the directions they were receiving from the minister and from the parliamentary assistant.

Their intent was not to assist us, not to give us the insights required to make a judgement based on the real facts, the real implications of this legislation. No, not that at all. They had their own political agenda. They followed it very carefully. "Hide the facts until we are forced to reveal them and at that point, when we are forced to reveal them, we want to do what we can to minimize the damage." They followed that agenda pretty carefully.

When the minister gets up here today and say we had every opportunity during the hearings process, I want to say that gentleman has a lot of gall.

**Mr Wildman:** The member is a little hairier than the last time we spoke.

I just want to comment on what the minister said in response to my earlier remark. I will not comment directly on what my friend the member for Leeds-Grenville has just said because I was not party to the committee deliberations, but I did keep track of it through the media and Hansard.

I make no apologies whatever for my earlier remark. The fact is that we in this House all know that this government received a very strong mandate from the people of Ontario, based partly on the commitment by the Premier of this province, the leader of the Liberal Party, that he was going to lower rates.

I do not have to repeat the comments made by the member for Leeds-Grenville just a moment ago when he said that during the very time that the committee was looking at this bill, he was going around talking about rate increases, not decreases; not keeping them at the same level, but increases.

If this government insists on passing legislation without proper amendment that is actually going to result in lower rates, then this bill should be withdrawn. If the government does not want to withdraw the bill, then we will do everything in our power to delay its passage, because this government was given a mandate to lower rates, not raise them.

Mr Kormos: I appreciate that it is difficult for the minister to be confronted with questions because, once again, he was not present during the course of the committee hearings. We all had a great deal of sympathy for the member for Guelph, the Liberal MPP who was the parliamentary assistant to the Minister of Financial Institutions, because he got thrust out into the front line. He got sent to the eastern front while the minister stayed behind in the bunker hiding out, trying to dissociate himself as much as he possibly could from this legislation.

He was not there during committee. Obviously, he did not want to answer questions then, and he is showing a real reluctance to answer questions now. But the other day I made reference to a little notation in the Canadian Underwriter magazine, the magazine that writes for and about the insurance industry, the March 1990 copy. Lo and behold, it indicates that the insurance industry in Canada showed record profits for the last eight years. It had a profit of \$317 million in the third quarter of 1989 alone. That covers all types of insurance, including automobile insurance.

#### 1730

There has been a whole lot of talk about actuarial studies and, quite frankly, a whole lot of misleading talk about studies, the ones that were finally released on 6 February. The government sat on those; the government kept those a secret. There was a parallel study being undertaken by this government which shows how it had no intention of ever regarding or paying heed to the recommendations of the Kruger Ontario Automobile Insurance Board after its study of threshold insurance, the three threshold schemes from the United States that were presented to it.

I should mention that those three threshold schemes that the OAIB studied and rejected were less onerous than the threshold scheme that the minister is trying to tell people and has told people—this scheme that he is talking about right here and now—is one that is made in Canada. So be it. If he keeps on insisting on that, we will let him have his way on that one. But he has to be reminded now and again that indeed, if it was made in Canada, if it was made in Ontario, it was not written here at Queen's Park. It was written in the boardrooms of the insurance industry and they are the only people it helps.

Though the minister and his people for a long time have been telling a whole lot of people that the effect of this legislation is that more money is going to be spread out among more people, that just was not true, because those secret studies that we finally forced out of the government on 6 February—after the committee had heard from all of its witnesses and after any of those witnesses had an opportunity to examine those same studies and comment on them—the government's own actuarial studies show that some \$823 million less is going to be paid out by the insurance industries in one year for pain and suffering and loss of enjoyment of life, and the net reduction in payout by the insurance industry is going to be \$823 million. If you add the taxpayers' subsidy of the insurance industry under that, you have a payday of \$1 billion in the first year alone. This legisla-

tion creates a \$1-billion payday, \$1 billion for the insurance industry in the first year alone, and every penny of that \$1 billion stolen from taxpayers, stolen from drivers and stolen from injured victims. That is the saddest of all.

We are talking about an industry that was not doing so badly to begin with, and I just cannot understand how the minister has talked about fixing the profitability of the insurance industry when it showed record eight-year profits, in the last third quarter, for the quarter alone, that third quarter, of \$317 million in profits.

I know that the insurance industry invested some money in these Liberals during their candidacies in the 1987 election in excess of \$100,000 by way of campaign contributions, but a payback of \$1 billion for \$100,000 and change probably reflects really usurious interest rates. The question that was asked time and time again of the parliamentary assistant, the member for Guelph, the Liberal, the fellow whom the Minister of Financial Institutions made go out there—and he is the one who told the press after we had been up in Sudbury that the committee, the Liberals, got hammered.

He was, of course, referring to, I hope, the submissions that were made to the committee by people in the community. He is the one who admitted that the government has not been faring so well and indeed, there have been more than a few Liberal members who have had their own riding associations prevailing upon them, saying: "Dump this bill. Dump this bad legislation."

We have a whole lot of other Liberal members who will not appear in this House to participate in any discussion of the bill, either because they do not know what it is about or because they are ashamed to be associated with it. We have an industry that is incredibly profitable, obviously incredibly powerful. Its ethics are questionable, because it obviously thinks nothing of buying a government or, perhaps more appropriately, it is sort of like a lend-lease deal rather than an outright purchase.

Mr Faubert: Make that statement outside the House.

Mr Kormos: I think I have touched a nerve there. I do not know whether the fellow who is doing the heckling from the Liberal benches is one of those beneficiaries of the insurance company largess or not. I know that some of the people who sat on the committee got donations—at least they were the donations that were recorded, the ones that we could determine from looking at the records.

**Hon Mr Elston:** Oh, come on now. That is not—you know very well.

**Mr Kormos:** The minister says, "Come on." Patti Starr was not courting the New Democrats and spreading her wares out among them.

The Chair: Would the member address his remarks to section 1

Mr Kormos: I should ask, Mr Chairman, when we are talking about—I started with subsection 1(1). Are we going to deal with this subsection by subsection, or with the whole section in total?

The Chair: The entire section.

Mr Kormos: I am sorry then, because I was still on "accountant." It "means a person who is licensed under the Public Accountancy Act." I wonder then, if we are talking about subsection 1(3) where it talks about "class of risk exposure," could the minister tell us why that amendment is included in this package and what impact it will have on the overall operation

of the Insurance Act. I am referring to the definition "class of risk exposure."

Why is that a new facet of the Insurance Act and one that has to be included in Bill 68? That is to the Minister of Financial Institutions, if he cares to answer it. I know the Chair has already said the Chair has no power to compel a minister to answer a question put to him during the course of committee of the whole discussion. I guess that is only appropriate but the silence of a minister in response to a question speaks volumes. I know they do it occasionally in question period too. They will not—not occasionally. Holy cow, we have been sitting here and trying to ask the Minister of Financial Institutions about insurance problems and he will weave and bob and the whole works rather than answer a very specific question with a very specific answer.

I am wondering if he could help us out with this "class of risk exposure," which is going to be paragraph 13a in the Insurance Act if indeed this bill is passed. You also will know, Mr Chairman, that the parliamentary assistant, the member for Guelph, is the one who has had to stickhandle this insurance bill because the minister recognized the political danger in being too intimately associated with it, because as has been said, "Insurance companies cannot vote; drivers can."

He is in really close, really tight with the insurance industry. He has lost some of his rapport certainly. Drivers' victims, potential victims, trade unionists, workers, senior citizens—senior citizens, we know, are going to get forced into the Facility Association in numbers never before imagined. Mr Justice Osborne of the Supreme Court told us that. Don McKay, the general manager of Facility Association, told us that. We are talking about the Facility Association, which has virtually more than doubled in size in the last 12, maybe 18 months. That is not with bad drivers; that is with good drivers. These people, a whole bunch of them being seniors, are forced into the Facility Association, paying premiums of not just hundreds of dollars but literally \$1,000, \$2,000, \$3,000, \$4,000 or \$5,000. Those are the kinds of premiums being paid to the Facility Association.

As I say, the minister declined to appear at the committee. His parliamentary assistant told the press, and indeed told the committee in response to questioning during the Sudbury sitting, that there would not be any fundamental changes to the legislation. That was remarkable, because I asked him again, "Are you mistaken about that?" I said: "Mr Ferraro, we're halfway through the committee process. Are you really telling us, because the government controls the committee with its majority and controls the legislative process with its majority, that there will not be any changes to this legislation before you've even heard all of the participants in the"—

Hon Mr Elston: Pardon me, Mr Chair. He asked me the question. A point of order.

**Mr Kormos:** Oh, I am sorry; I did not hear. The minister has jumped to his feet. I see that.

Hon Mr Elston: He has been babbling on now for about 15 minutes. He has asked me to answer a question about "class of risk exposure." I am willing to respond, except he has been speaking about everything other than section 1 or subsection 1(3), and to be quite honest, as I understand it, once the question has been put, although we know that his whole essence, his whole reason for being is to prevent Bill 68 from even being considered or even talked about, I think it at least would be helpful if he would allow me to respond to his question.

He has gone off and made wild accusations. His exaggeration proneness is again being exposed to the public of Ontaric But I would not mind if I could, if he would allow me t respond, dealing with the issue of "class of risk exposure."

1740

**The Chair:** Does the member for Welland-Thorold wan the minister to answer his question now?

Mr Kormos: That is fine. I will mark my spot so I can ge back to where I was when I start again.

Hon Mr Elston: It will not take him long to mark his spo because any place he lays his finger on his notes will probably be where he starts again.

We have to have "class of risk exposure" limited to the autinsurance coverage so that in fact we can do the things that an required to review the classification of risk and the rules as sociated with rate schemes and other things under the Insurance Act. We have to have that as part of our act. Otherwise we would not have the ability to allow the new commissioner, who will have very broad and very extensive powers to intercede or behalf of consumers, to ensure that first of all there are fairates, and second of all that they are dealt with fairly by the companies and get their compensation under the expanded no fault benefits, and in fact that the system works properly.

This is a necessary requirement to allow the people who are going to be looking after the interests of the consumers of the province to do their job, although these people want us to be prevented from implementing expanded, new, broad, consumer oriented protection powers and authorities that will assist us it getting fair rates for insurance coverage in the province.

Mr Kormos: That is a crock. That is just incredible. One of the things that has not been talked about a whole lot lately certainly not by the government, was that it had the audacity to call this the Ontario motorist protection plan. In fact, who i protects are the insurance companies because it basically takes away any risk from their operation. It does not protect drivers. It does not protect motorists. It does not protect victims. It does not protect workers. The only people it protects are the shareholders of the auto insurance industry.

We talked the other day about how even the stock marker tout sheets—something with which the minister is probably far more familiar than I—are touting auto insurance companies. They are saying: "Buy, buy buy. This stock is going to become more and more valuable because the scheme the government is trying to ram through"—they did not say "ram through"—"is going to make insurance company profits, automobile especially, just out of this world.

The other thing that is interesting, and we talked about this the other day—I still did not get an answer to this one—is that the same magazine, but a different issue, Canadian Underwriter February 1990, broke down—this one deals with automobile insurance companies, specifically with Ontario automobile insurance companies. Mind you, the information in this little report comes from the Insurance Bureau of Canada. That is the big gun for the insurance industry.

That is the one that has been spending hundreds of thousands of dollars, of drivers' premium dollars, on outlandish ad campaigns since the last general election and then on those quasi-full page ads in the Toronto Star, the Globe and Mail, and I guess the Winnipeg papers and so on—or Windsor papers rather. They might have done it in Winnipeg as well, hoping for full coverage, because they obviously do not care what they do with drivers' money. In any event the Insurance Bureau on

Canada wrote down what it interprets as losses by the autonsurance industry in Ontario.

Mr Justice Barr appeared before the committee talking bout Bill 68 and how bad it was. Mr Justice Barr is a retired rial judge of the Supreme Court. He remarked that when he tarted practising law back in 1955, some of the same companies that were crying about losing money now, were crying bout losing money back in 1955. These companies are reritable Mother Teresas, obviously, in the way they carry on in business that they insist they have been losing money on, not ust for years but for decades.

We always have to be sceptical about that. The real proof is, why would a company stay in business if it continued to lose noney year after year after year and cried such big tears and so oudly about it? What we have learned as a result of the covernment's multimillion-dollar Ontario Automobile Insurance Board is that when insurance companies say "loss," what that means is "profit." We learned that and that is the case. In 1987 the automobile insurance industry in Ontario said it lost in 1942 million. They said they were in the red to the tune of \$142 million.

Irene Bass is the accountant for Mercer. That is why I am speaking about this under consideration of section 1; we are alking about accountants here. She is an—

Hon Mr Elston: She's an actuary.

Mr Kormos: And an accountant. I talked to Ms Bass at ength. They imported her from Manhattan, from Mercer, one of he biggest insurance interests in North America and perhaps in he world, but so be it. They paid her a whole lot of money to malyse the cooked books of the insurance industry. Again, if he government had not thought the books were cooked, why would it bother bringing in Irene Bass to analyse the cooked books? So even the government knew that the insurance influstry exaggerates losses and hides profits.

Ms Bass, a very capable person, found by digging through he books that when the insurance companies said they lost \$142 million, it meant they made \$55 million. That was sort of give or take, because she thought there were some hidden figures that even she was unable to uncover. So we know the Insurance companies lie like rugs when it comes to telling people whether they made a loss or whether they made a profit. Some people have called them menteurs à triple étage, and rightly so.

What the Canadian Underwriter magazine says—and this again is information that comes from the Insurance Bureau. Just think about it for a minute. The insurance industry has a whole lot at stake here. They have a \$1-billion pay day. A billion bucks is in store for them in the first year alone, a billion bucks seized from the taxpayers of Ontario, seized from the drivers of Ontario and stolen from innocent injured victims. It is compensation rightly theirs that they will never receive and which this government is taking from them so that the carpets in the insurance companies' offices can be plusher, the cars their executives drive can be bigger and the profits they make can be more than they ever dared dream of.

The one thing we did not hear about when the insurance companies were talking about their incredible losses was the cutbacks on executive salaries in the insurance industry. We did not hear about the perks being eliminated for the president and other executive personnel. We did not hear about any corporate jets being sold off. We did not hear about—

Mr Morin-Strom: The offices being abandoned there.

**Mr Kormos:** That is right, "Sell this office tower because our accountant told us to move into a low-rise."

That is what this is all about when we are talking about section 1 and accountants, at least in this first amendment, an "accountant' means a person who is licensed under the Public Accountancy Act." We did not hear from the accountants for the insurance industry saying they recommended to their bosses that they had better start taking these cost-cutting routes because they were losing money. Of course they are not losing money; they would not stay in business if they were losing money. It is a sucker's game to believe that. You have to be damnably stupid to believe they are losing money, and you have to be even stupider to think other people are going to believe you when you start proclaiming that.

The Insurance Bureau of Canada, with its cooked books, its lies, its dishonesty and its \$1-billion pay day in the offing, says this about the auto insurance industry in Ontario. I am not afraid to read this, because of course this says that the auto insurance industry lost money last year.

Let's take a look at this for just a minute. The Insurance Bureau of Canada said—and IBC and Jack Lyndon are almost one and the same. When Jack Lyndon talks, the Minister of Financial Institutions listens; there are just no two ways about it. In any event, for the nine-month period ending 30 September 1989, for every dollar of premium collected by the auto insurance industry in total in Ontario, 92 cents—and this is the neat part, this is the really slick part, and this is what accountants will tell you insurance companies use to hide their profits—92 cents was paid out or reserved to pay claims.

#### 1750

That is the big gaffe. That is how we have had it explained that the insurance industry generates phoney losses, reserved to pay claims. It does not mean they pay that money out. It does not mean they stop earning interest on that money. It means that they just write it out in a book as a reserve and they can generate overly large reserves and artificial losses.

But even with their approach to accountancy—because that is what we are talking about, accountancy—92 cents paid out or reserved to pay claims, 21 cents was paid out for operating expenses. Now 21 cents of every premium dollar is awfully high. That was brokers' commissions and company overhead. That is not a very efficient industry. That is not an industry that has cut off or trimmed the fat when it is still paying out 21 cents of every premium dollar for brokers' commissions and company overhead. You are talking about an incredibly inefficient way of delivering an insurance product. That is something we have been telling these guys, the Liberals, for a long, long time now.

So for every dollar collected, 92 cents is paid out or reserved to pay claims, 21 cents paid out for operating expenses because of their inefficiency and high overhead costs, brokers' commissions and company overhead, three cents paid to the provincial government in premium taxes—that is what this government wants to take away. They want to unload that obligation on to the taxpayer. They want to relieve the insurance industry of its tax obligations and unload it on to the men and women who work hard in our factories and in our businesses, who work hard to live in homes and send their kids to school, who have a modest lifestyle.

Okay, so 92 cents paid out or reserved to pay claims, 21 cents paid out for operating expenses, three cents paid in premium taxes, and 14 cents was earned in investment income. Now we are looking at the other side, not the payout but the

take-in. Now catch this: The net result is that auto insurance companies lost two cents for ever dollar collected in premiums.

The reason why it is important to go through that is, first, they have been able to generate an artificial loss of two cents on every premium dollar, because do not forget, their 92 cents per premium dollar payout also includes reserves. But even if we take—for the briefest of moments, no matter how difficult it is; use your imagination—the word of the insurance industry itself, even they are only saying they only lost two cents on every dollar.

What this government is doing is forgiving them the three per cent premium tax. It is giving them premium increases of eight per cent to 50 per cent; that is what the minister said. The minister said that we are going to see premium increases of up to 50 per cent here in Ontario once this bill is passed.

Why is the Minister of Financial Institutions, why is the Premier, why are the Liberals so intent on giving away the whole farm? If they really insist on believing the insurance industry, merely forgiving the three per cent premium tax will more than compensate for the two cents lost on every dollar. But they insist not just on forgiving them the three cents on every dollar premium tax, they insist on making the taxpayer foot the bill for medical treatment for injured persons for whom an insurance company should be liable and responsible. And they insist, the Liberals, the Premier who promised back in 1987 that he had a very specific plan to reduce auto insurance premiums—and I have talked about this before, and far be it from me to call the Premier a liar, but I say that people across—

Hon Mr Elston: On a point of order, Mr Chairman: Which section or subsection of section 1 is the member on? He does not relate it to anything at all. He mentions the word "accountant" once in a while and then rambles and babbles on for a while. Could you call him to order so that we can get on with the work of the House?

The Chair: May I remind the member for Welland-Thorold to stick to the discussion on section 1?

Mr Kormos: Certainly, Mr Chairman.

So far be it from me to call the Premier a liar, but I say that when people across Ontario talk about the Premier's promise back in 1987 that he had a very specific plan to reduce auto insurance premiums, and then when they reflect on that and look at Bill 68, a very specific plan to increase profits for the auto insurance industry, do I have to tell the members what people are saying about the Premier?

No matter how hard I have tried to dissuade them, they sti insist to me that the Premier must have lied in 1987. I say, "N maybe it was just carelessness on his part." People say, "No, c not stick up for him, because he promised he had a specific pla to reduce auto insurance premiums, and all he has given us Bill 68, a very specific plan to increase profits for the aut insurance industry," increase profits by taking the money from the pockets of taxpayers—\$141 million to \$143 million in the first year alone.

We are talking about the most highly subsidized auto if surance industry anywhere in the whole world once this legislation passes. The taxpayer is going to be subsidizing prival corporate auto insurance industries, many of them from the United States. Many of them are our American friends, if yo can call that type of relationship that an insurance company has with its victim—be it the driver, the accident victim, the taxpayer—if you can by any stretch of the imagination describe that as a friendly relationship.

So one really has to wonder, what has the insurance in dustry got on the Premier? What has it got on the Minister of Financial Institutions? What has it got on the Liberal cauch that makes it so beholden to the auto insurance industry? What type of leverage is the insurance industry really employing her that it would get people to protect their interests, the insurance company's interests, so effectively and thoroughly and completely at the expense of good, hard-working people?

Hon Mr Ward: There seems to be an amazing lack of progress on the bill at this stage, and I wonder whether or not is appropriate that perhaps the committee rise and report, because I would like to advise the House of some changes in the order of business for tomorrow.

On motion by Mr Ward, the committee of the whol reported progress.

#### **BUSINESS OF THE HOUSE**

Hon Mr Ward: On a point of information, I wish to advis the members of the Legislature that, given the obvious lack of progress on the bill under consideration before us today, I have tabled with the Clerk of the House a motion pursuant to the standing orders to allocate time for the balance of the consideration of committee of the whole and third reading, and I wish the advise the House and all members that it is my intent to call the motion for consideration tomorrow.

The House adjourned at 1757.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)
Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Seer, Hon Charles, Minister of Community and Social Services (York North L)

Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

tradley, Hon James J., Minister of the Environment (St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L)

Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)
Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L)

Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills

Development (Renfrew North L)

Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L)

Cousens, W. Donald (Markham PC)
Cunningham, Dianne E. (London North PC)

Sureatz, Sam L., Second Deputy Chair of the Committee of the

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Jurling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Bakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L) Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

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Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

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Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

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McClelland, Carman (Brampton North L)

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McLean, Allan K. (Simcoe East PC)

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Miclash, Frank (Kenora L)

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(Carleton East L)

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Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of

Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

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Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

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Ruprecht, Tony (Parkdale L)

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Smith, E. Joan (London South L)

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Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

#### CONTENTS

#### Wednesday 28 March 1990

Members' statements	Ontario Hydro labour dispute
200	Mrs McLeod
ocial assistance	Cultural services
Mr Allen overnment's agenda	Mr Miclash
Mr McLean	Ms Hart
uffalo farming	Ambulance services
Mr Adams	
exual assault	Mr Mackenzie
Mr R. F. Johnston	Mrs Caplan
iteracy	Hospital financing
	Mr J. M. Johnson
Mrs Marland erndale Public School	Mrs Caplan
Mr Dietsch	Special education
lydro services	Mr Daigeler
Mr Kormos	Mr Conway
Cindergarten	<b>Tire dumps</b>
Mr Jackson	Mr Allen
gnes Macphail	Mr Bradley
Mr Faubert	Marmora arena
Wil raubeit	Mr Pollock
Statements by the ministry	Mr Black
Statements by the ministry	Northern film library service
iteracy	Mr Campbell
Mr Conway	Mr Conway
mall business	International trade
Mr Kwinter	Mr Villeneuve
Wil Kwinter	Mr Ramsay
Responses	Workers' Compensation Board
Kesponses	Mr Morin-Strom
iteracy	Mr Phillips
Mr R. F. Johnston	
mall business	Petition
Mr Laughren	
iteracy	French-language services
Mr Jackson	Mr Daigeler
mall business	
Mr Sterling	Reports by committees
0 - 1 4	Select committee on energy
Oral questions	Mrs Sullivan
212	Tabled
lydro rates	Standing committee on regulations and private bills 221
Mr B. Rae	Mr Callahan
Mrs McLeod	Agreed to
ire tax	1151004 10 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Mr B. Rae	Petition
Mr Mancini	A COULTON
rench-language services	Waste management
Mr Brandt	Mr Pollock
Mr Beer	WII I OHOCK
Children's mental health services	First reading
Mr Brandt	r ii st i taunig
Mr Beer	Unsolicited Facsimile Transmissions Act, 1990, Bill 118 222
Rouge Valley	Mr Cousens
Mrs Grier	Agreed to
Mr Bradley	Agreed to

Committee of the whole House	Other business
Insurance Statute Law Amendment Act, 1990, Bill 68       .222         Mr Cousens       .222         Mr Philip       .226         Mr Runciman       .233         Mr Elston       .236         Mr Kormos       .237         Mr Wildman       .237         Progress reported       .242	Visitor

90





8 90

# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Thursday 29 March 1990

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

## Assemblée législative de l'Ontario

Deuxième session, 34e législature

### Journal des débats (Hansard)

Le jeudi 29 mars 1990



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

#### Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario. La liste des députés appartenant au Conseil des ministres et des adjoints parlementaires ainsi que celle des députés appartenant à des comités y figure aussi.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 0.65 2152

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

#### Thursday 29 March 1990

The House met at 1000. Prayers.

#### ORDERS OF THE DAY

## PRIVATE MEMBERS' PUBLIC BUSINESS VIOLENCE AGAINST WOMEN

Mrs E. J. Smith moved resolution 44:

That, in the opinion of this House, since recent statistics ontinue to disclose that a sizeable portion of the women in our ociety are exposed to physical or sexual abuse, and that most rudies would indicate that this behaviour pattern in men is fiten a result of childhood exposure to these same patterns of ehaviour, the government of Ontario, and in particular the finistry of Education, should earmark specific funds to create rograms (and material) delivered by respected male role nodels, to address and reverse these negative attitudes and that ocial programs provided for assisting male abusers be given onsideration for inclusion in the funding programs of the Minstry of the Solicitor General and the women's directorate.

The Deputy Speaker: The honourable member has up to 0 minutes to make her presentation.

Mrs E. J. Smith: I come here today to speak about a probem that is of very grave importance to the whole of our society. About a generation ago, in the same sort of way, we addressed hild abuse in our society and took very strong and urgent steps o not only prevent child abuse but to change the definition of hild abuse and to address it in our society in a way that would essen its impact. I say that we changed the attitude in so far as we required of anybody who knew of any sort of abuse of a hild, under the criminal law, to report such abuse to the overnment so that it could be corrected.

As well as that, in the day-to-day life of how we handled hildren, we did indeed move towards a less violent way of pproaching discipline. I think that many, like myself, can robably remember the days when we had long discussions bout whips and straps in schools and whether or not such liscipline was useful in disciplining children. Now we are noving to examine wife abuse and the attitudes around it. There are some facts we have heard again and again and that we now. We were told for a long time that 60 per cent—the latest tatistics say 52 per cent—of all homicides of women occur in a amily situation. We know, therefore, how serious this problem

But the other statistic that, interestingly, relates to that is hat usually a person who is assaulted has been assaulted 30 to 35 times before he or she reports such assault. I wish to draw very closely to the attention of the members that if in fact we have that figure about the people who do report their assaults, hen we can only begin to guess at how many people are assaulted fewer than that number of times, to some degree, and simply never come forward at all to bring this to our attention.

In cases like this, the children are usually present. The children are assumed to be present now in 80 per cent of wife-beating incidents. It is for this reason that I feel very strongly that we must address the preventive element in the schools. Children exposed to abuse, particularly young boys exposed to

the abuse of their mothers, tend to go on and repeat the patterns. So it is the prevention element we are dealing with here.

I do not intend to speak particularly today on the sexual assault area. To me, in many ways, sexual assault is another violent attack on women, and it is being addressed by a different group. While I know it is important and present and while any preventive programs within the school would obviously address that too, still, basically what my resolution is meant to address is the battered wife rather than the sexually assaulted wife. I know that it is very important to those people involved in a sexual assault that we keep those two elements separate. So out of respect to them, I do that.

Howsoever, I do want to point out that the government has recently put \$28 million into the area of the criminalization of sexual assault and the various elements it hopes will help do away with that, and I did not want to not mention it in passing.

But I do want to talk more on the preventive aspect of battered wives. When I was Solicitor General, I had occasion to go to the United States and visit the chief of the New York Police Department and his commissioner of drugs. He pointed out to us at that time that he could put all of the police in New York into doing nothing but fighting the drug battle, so to speak, and basically it would not succeed in doing away with drugs because there was so much money to be made in it that when you caught one person, another stepped into it.

He stressed very strongly that the only thing that would really stop drugs in a country is when people change their attitudes and stop using them, because it does away with the market, and so, I would add, with the business of battered wives.

In fact, a batterer, if he remains a batterer, may be charged. The criminal process may be used. He may go away to jail, but what does this really do? He will not stay in jail for ever. He will be back out into our society, and unless steps have been taken to correct his behaviour, then inevitably he will find another mate and go on and repeat the pattern. So indeed, although we would like to think that this area of prevention is enough, the real area of prevention is getting to children when they are young enough and getting them to change their attitude towards being abusive to women.

#### 1010

Interestingly, studies have shown that 25 per cent of children who are in homes for battered women really found it acceptable under certain conditions for the wife to be battered. They had to be educated in those circumstances to learn that it was not so, that indeed such battering is never justified. It is for this reason that we must put into the schools educational programs that change attitudes.

I have stressed in my motion that I think, since we are dealing with wife battering situations, it is important that those who are there to deliver this message to young boys should be trained male role models. I do not think it is enough for women to stand up and say that men should not batter women. If we are going to get the message through to young boys, in particular the young boys who have been exposed to such battering, then it has to be a message that comes from their own role models, namely, respected men. I say this in the same way that it has to

be women who go into the schools and teach young girls, career models for them.

The presence of a course like this, with proper materials, proper training to try to change the attitudes of young people, is really the only way that in the end we will get to the route of battered wives within the homes. We have an opportunity while the children are there and we must take advantage of it because we know the consequences if we do not do so.

As I said about my trip to New York, if in fact you look only to the jailing of men to correct and change their behaviour, you can almost be guaranteed that that in itself will not work. Men who are wife batterers are in many, many cases people who have been exposed to the wrong attitudes in the home, who really are to some extent victims of their own exposure to these wrong attitudes. Therefore, I wish to say that we need programs to help those men overcome this behavioural pattern.

We have such a place in London called Changing Ways. It is partly funded by the Ministry of Community and Social Services, partly funded by the Ministry of Correctional Services and largely funded by charitable dollars.

It has been suggested to me that some of these programs do not work as well as they should. I say that if the programs are not working, then we cannot just give up. We have to correct the programs. We have to find out what will make them work and keep working at this until we get a solution. Just as the drug problem becomes hopeless except in an educational way, so, if we do not do programs with men and find programs that do work—we cannot keep them indefinitely in jail—all we do is care for one victim, care for one woman, briefly punish the man and then the pattern starts again. It is a discouraging picture, but it is a picture that we must face up to.

We must find out what programs with men can work. We must stress the prevention with children and we must do it now. We are aware of the seriousness of this problem in our society. We are aware of the violent crimes that arise out of it and we are aware that it is largely an attitudinal problem.

I would ask that everyone support me in looking to these two programs, the educational program and the program with men, as at least one important link in fighting this type of assault in our homes.

Mr R. F. Johnston: I would like to thank the member for London South for bringing forward this resolution today. It is timely. Unfortunately, it is still timely; it has been timely for a long time and I am glad that she has done it. I have some problems with some of the direction of it and I will raise those concerns, but the principle that she is trying to address, especially as she just enunciated it in the last few sentences of her remarks, I concur with entirely.

One of the advantages of having been here for these 11 years is that one gets to see issues come up from time to time, and sometimes that just makes one cynical and sceptical about the reality of change, or the lack of change, in our society. Sometimes it at least allows one to provide a perspective for other members of the House who maybe have not been here this length of time.

I think it is important for members to know that this House has looked at this matter in the past, and members of this House have taken this issue very seriously. In the summer of 1982 the standing committee on social development, for the first time, held hearings on family violence in the province of Ontario, and coming out of those hearings was a whole series of recommendations. There were only two weeks of hearings, and probably it was the most effective single action within a committee that I have been involved with in my 11 years in terms of the ap-

propriateness of the recommendations and in fact the impact o government's moving on most of those recommendations.

It was at that time, as a member of that committee, I learned about the cyclical nature of violence. Studies that came out of California in those days—we are talking about studies which predated our hearings in 1982 by several years—talked about the fact that 40 to 50 per cent of young boys who come from homes where their mothers had been abused turned out to be abusers themselves at a later date. That was something we iden tified back in 1982, I would say to the member for London South, a member of the government of this province, which has the power and the right to deal with these issues as it chooses.

I would also say that it was during those hearings that we also learned about programs in her own area, new programs in the Canadian context for dealing with male abusers, peer group counselling kinds of programs that were started on shoestring in those days with no major government assistance at all. They were based on some programs developed in the United State over a period of seven to eight years in advance, and there was some fairly interesting research about their effectiveness at tha time.

Here we are in 1990 and we have a member of the govern ment coming forward and identifying the need for those kinds of programs today. I just say, look back at that report. The members will see in the narrative of that report that these kinds of things are taking place. The analysis that these problems o violence in the family and the role model of violence and its dangerousness in terms of the escalation of that in the future were identified in that report.

Recommendations were made in that report which have no been followed by the government, the Conservative governmen of the time or this government since, and I welcome this in dividual member of the Liberal Party's initiative in this matter But I say to the members that the formal recommendations are there in writing and should have been responded to long before now.

One of the things that was recognized by the governmen late in the reaction to our report was the notion that specia services for children in homes for battered women needed to be provided and that was a very positive step. The member for Essex-Kent over there will remember the recommendation that this be a major emphasis, to get to those kids who were in crisis to try to help them through those problems and hopefully dea with, especially the young boys in those situations, stopping the notion that they may become perpetrators themselves at some point.

However, there are some difficulties here and I have come to the education field, because I think the member is right, that is the place where we need to emphasize major action if we are going to stop this continued vicious cycle of men learning how to be violent in their homes from other men. That is to say that while I agree that we need more role models, while I agree that we need more emphasis on the kinds of programming in our schools that will change those things, I have to point out to members of this government what they are doing and not doing at the moment as a government, and why in fact it is necessary for one of its own members to raise this matter now.

#### 1020

There has been a program at the Huron school here in Toronto for a number of years, started at the initiative of a transition home in this municipality and that school, to provide special supports, educational supports to the kids in that school system, to make sure that what happened prior to 1982 no

longer takes place. That is to say that for a period of 6 weeks or 10 weeks or even longer, depending on the housing crisis in a particular municipality, those children were in the old days kept out of school. They were sitting around a transition house with no supports at all, no programming, no educational assistance, no psychological counselling, anything.

That transition home here in Toronto and the school got together and developed a program for those kids in that school. It has been supported by government up until recently. I am absolutely perplexed as to why this government would propose withdrawing assistance from that kind of program in that school and in other schools across the province that are linked to transition homes. I wonder why it is that that kind of government action flies in the face of the logic of what this member from the government party is now suggesting.

I will raise a couple of other concerns with the members. Yes, we need role models. Let's look at the number of men who are child care workers in the province of Ontario. It is a tiny number of men who are child care workers. Only 13 per cent of the people registered in faculties of education this year for the primary section are men—13 per cent. Already only one in five elementary schoolteachers is a man. We have some very fundamental problems here in terms of the structure of education, just in terms of role models in the class, let alone dealing specifically with the matters of violence.

I say to the member again, as a member of the government party, what has she done in terms of enhancing the growth of family studies in the province of Ontario and giving that priority in dealing with such issues as parenting skills, resolution of conflict without violence? I would say that there is a culpability here in terms of not having brought forward a major emphasis in change of curriculum and emphasis on family studies in the province of Ontario. So I am glad that the member raises the notion that we should be having more role models going into the schools.

I hope it is not just a notion that somehow we will be having men go in to talk about this on an ongoing basis, but recognizing that you have to have the curriculum reflect what we are talking about here. You have to have men in that situation who are showing themselves as loving teachers and helping children resolve problems in a non-violent way so they can learn from that, before you can go on to suggest that there is going to be any major change through the school system itself.

A friend of mine who was very involved in trying to bring feminist kinds of notions into education talks about changing the three Rs and adding to them three Cs. She considers major female values that are often missing in the male value system, and they are caring, concern and co-operation. It seems to me that unless you are changing the notion of what we are trying to do in the school in terms of the effect of trying to create socially responsible individuals, loving individuals within a society, it is going to be very difficult to use the system as we know it today to change these fundamentally dangerous aspects about male socialization which have been so established in our society.

I also want to say that I think where the member is wrong in her recommendations, if I can say this to her, is in where she wants the other kinds of programs to be directed. It strikes me as inappropriate to choose the women's directorate as a place to provide programming for male abusers. I think it is just the reverse of what you would want to do in terms of women, if you think about the situation. I do not think that is an appropriate location for that kind of programming. Yes, there are programs that could be brought forward under the women's directorate, but I do not think they should be directed towards

assisting the male abuser, as she suggests. The Ministry of Community and Social Services is a much more appropriate ministry for that to take place within.

The other thing I have difficulty with here is something which the government seems to be tied into now in a major way, and that is giving the Solicitor General's office major on-line service kinds of functions. It is doing this in only two areas at this point. One of them is in terms of the rape crisis centres, and I disagree with that. I just think again that that should be under the Ministry of Community and Social Services and tied in much more directly with our notions of facilities for battered women, etc, especially now, when we start to understand that more and more it is incest cases that are coming forward in that situation, things that the Ministry of the Solicitor General does not have the experience or the general direction to provide service in to those individuals. Its function in society is a very different one.

Yes, there is a function, obviously: the legal function, the apprehension function that is required in terms of the policing. But I would suggest that in terms of the delivery of services to abusers or to victims of violence, it is inappropriate. I would again suggest that the ministry the member should be directing this to would be the Ministry of Community and Social Services. This is the logical area to have this kind of co-ordination developed, and I do not know why the member has suggested that these are the two directions. Perhaps in her wrapup she will indicate to me why she has chosen these two instead of the Ministry of Community and Social Services.

I think the member is right to not speak too much about sexual abuse and its violence and its assault in conjunction with this motion, although it is listed, because it seems to me that there are very different principles involved in terms of how one can deal with the physical abuser and how one can deal with notions of sexual assault within either the school system, the education system, or concepts like peer counselling.

Some of the evidence I have seen from the United States would indicate that the peer counselling concept works much better for physical abusers than it does for sexual abusers who have been found to have been criminals, for whatever reason, for either of those two reasons, in the system, that in fact professional intervention with a sexual abuser is more effective and peer work with the physical abuser seems to be a more effective kind of approach.

The member mentions some of the causes that underlie this situation. The one she did not mention that came up continually within our debates these many years ago now in the standing committee on social development, and since, was to do with a sense of powerlessness that those men felt. There was a very interesting kind of notion that kept coming up, because we talked to abusers. Abusers came before our committee, as the member for Essex-Kent and others will be able to tell her, and they talked to us about their total sense of frustration and powerlessness within the society. The one area where they as males felt they had a right to exert their power was against their spouse and against their children and that is where their rage and their sense of frustration started to exert themselves.

That is something we have really got to start to deal with in terms of people's attitudes within our society and the kinds of things that are making them feel like they have no impact and no power, whether it is because they were laid off from jobs that they were relying on and are now feeling like they are not the men that they were before because of our notions about the person's worth when he is employed versus when he is not employed or whatever it might be.

I just wish to say to the member that one of the lessons we learned there is that if we do not deal with that very fundamental matter of a person's notion of his relative power in society and his right to exert power over other individuals in a way to compensate for that problem, that attitude, we will not really come to grips with this issue.

Speaking on behalf of my caucus colleagues, we are in support of this motion. We recognize that there is a need for major action in this area, but we support it with a concern about the direction of where the programs should be placed that the member has listed and we do it decrying the lack of action in certain areas by this government and the incorrect action in other areas in terms of the withdrawal of programs from schools that are trying to provide supports to homes for battered women at this point. With those kinds of caveats, we do support the resolution.

#### 1030

Mr Jackson: On behalf of the Progressive Conservative Party and as its women's issues advocate, I am pleased to respond in the House to the resolution from the member for London South. I have had occasion to work with the member in her former capacity as Solicitor General and also on committee, and I have come to recognize her as someone who has a growing understanding, awareness and concern for the issues she is raising today.

I do, however, have some concerns with some of the elements of her resolution and I will address those. But I also have elements of the resolution that I find I am able to support, and I want to identify generally those concerns for her first and then proceed to indicate some areas where I feel she and her government could be providing more leadership and more assistance to combat the issue of violence in society and, more specifically, sexual violence directed against the women and children in this province.

At the outset, let me say that I am rather confused by the suggestion here as to which ministries would be doing some of the lead funding. I am concerned about the Solicitor General's office being involved. I understand its role to be involved with enforcement of the law and to assist in the protection of the citizens of this province. But matters that deal with correction, matters that deal with recovery and matters that deal with support services, I believe, rightly fall within the Ministry of Correctional Services, the Ministry of Health or the Ministry of Community and Social Services. As the previous speaker indicated, I too share the concern with the ministries being mentioned.

I share an even stronger concern about the reference to the Ontario women's directorate. The reason I share that concern is because it is clear that the mandate of the women's directorate is not like a regular ministry. A regular ministry has funds it can allocate for programs over a long period of time, but the women's directorate has a cap of short-term funds, maximum of \$24,000.

These are grant programs, generally short-term, but they do not have an application here, given that the nature of the male abuser and his needs for psychological assessment, support and recovery are very long-term matters. We have many empirical studies to prove that this kind of counselling is expensive and it is long-term. I certainly would protest most violently and most aggressively if I thought for one moment that these moneys would come as a detraction or a siphoning off of the limited moneys that are already being allocated to women's programs

in this province, to victims' programs in this province and to incest survivor programs as well.

Let me talk a bit about the education elements of this recommendation. They fascinate me. As the Education critic as well, I have some strong views here. There are programs that have been proposed to this government that deal directly with this issue, yet those programs have not been taken up and supported. To the extent that the member has addressed this in her resolution, I applaud her, and I think the fact that she has flagged it for her government and that it might in turn begin to start funding some of these programs is worthy of all members of this House to support.

In that regard, I would draw the members' attention to the very first report of the select committee on education. Our very first area of examination was the goals of education. As members know, in Ontario we have a very individualized approach to the development of the individual child and the individual learner. The committee in its wisdom suggested that our goals in Ontario were deficient in only one area with respect to, and I will read directly from the report, "that the ministry add a 14th goal, that education develop an awareness of those stereotypes and assumptions that contribute to the unequal position of women in contemporary society."

That is a very important resolution. It is a very important goal for education because it really strikes at the whole heart of this issue of violence, intolerance and misunderstanding between genders in society. Like anyone else in this House who has had occasion to look into this issue and to deal with this issue, we have come to the same conclusion, that our best efforts can always be in the area of working with children to help break down those stereotypes and assumptions which contribute to violent attitudes in our schools and later in life.

I do not wish to digress into some of the varying schools of thought as to feminist thought and other thought, but there is at least one school of thought which I subscribe to, and that is that our school system should help to bridge the gap between the various stereotypes that we promote in our schools, that girls are taught to be somewhat submissive, to be co-operative, to have the qualities of receptivity, mutuality, co-operation, resonance, and unfortunately—and this is done through our curriculum and through modelling—our boys are taught to be competitive, to be aggressive, to be workaholics, to fear intimacy. These are all the images and promotions that we give in our school system and we can undo them. We can teach boys to be less aggressive.

I applaud the member's suggestion in this regard, that in our school system there is a key to assisting us. I have recommended a couple of additional things. I know it was just two days ago in this House that the Attorney General brought in a resolution on alternative dispute resolution models and, as I indicated to the minister at the time, its complete family law focus, this no-fault California divorce system that he seems to be enamoured with, should not be his only focus. His focus should also be on ADR models in our schools. We should be equipping the children in our society to deal with their conflicts so that they do not manifest that negative behaviour by resorting to violence.

There are some outstanding examples right here in Ontario. In the city of Ottawa there are two schools operating ADR models with pure modelling programs involving the students in ways in which they can deal with their conflicts and resolve them in an atmosphere of respect and mutuality.

I come from a community where just recently we have had three students shot in a case of violence. When it was examined further, it was discovered that this was a love triangle that had gone sour, that in regard to the individual student, a young offender who walked into the school with a gun and shot three other students, that was his way of dealing with his conflict. There was no mechanism in place. There are insufficient counselling support services, which we require in our schools, and insufficient social programs in the communities to assist in identifying these problems and to equip young people with the skills to resolve that conflict.

But there are more issues in education. The previous speaker also indicated individual programs in some of the Toronto schools that are worthy of support. I am concerned that the Ontario Teachers' Federation, the Ontario Advisory Council on Women's Issues, the Ontario Association of Interval and Transition Houses and the Ontario Coalition of Rape Crisis Centres have not been consulted about this resolution. I hoped that they would have an opportunity to examine it and respond to it and I hope that, should this resolution pass, the member will respect the fact that those groups that have been active and involved in this issue should be consulted in a more direct way.

I would like to point out a couple of other issues. I notice the member for Kitchener is in the House today, and he has distinguished himself as an advocate for incest survivors in this province. He brought out an outstanding resolution, supported by all members of this House, to extend the Limitations Act to allow the victims of incest the opportunity to seek redress, to seek compensation, to approach the courts with the horrors of the crimes against them.

#### 1040

Unfortunately, I wish I could report that there was more progress with his resolution. I know his commitment has not diminished, but I do know the Attorney General has seen fit not to respond to Bill 198. We know clearly that the process of identifying violent acts and sexual assault acts against children is important to help a person who is a victimizer to recover. The Limitations Act is giving a four-year window to these abusers. If you wish to break a contract in this province, under the contract law they give you six years' limitation, but for incest this province gives only four years. That bill really must be brought forward again, and I know the member for Kitchener will be interested in pursuing that.

We have raised in the House this week the issue of children's mental health. There are 10,000 children on waiting lists. My leader, the member for Sarnia, read aloud to this House a couple of cases of children, who themselves are the victims of violence and abuse at home, contemplating and attempting suicide and yet we do not have the placements in this province for those children, those victims. Those services are not being provided.

To suggest that we now start spending these funds for people who have had a string of abuses as perpetrators, and all the while their victims are sitting at home not knowing how to cope with their problems, let alone being able to speak out about it, is somehow an inappropriate set of priorities for this province. To support this bill, we must support other initiatives in this province which are assisting those children most at risk.

The Children's Law Reform Act amendments, Bill 124, is another area of concern. This deals with joint custody and access. This government was told repeatedly by all those groups involved in defending victims of violence that this was bad legislation and that it was encouraging joint access models for families where there were examples of violence and sexual abuse. The government's response was, "We can put them on

supervised access programs," but the fact is we do not have any provincial government funding for supervised access programs. We have a program here in Toronto and one in London, and those programs are running on community support funds but not with provincial dollars.

There is a serious flaw in the bill which suggests that a child who is a victim of domestic violence and who is unable and incapable of expressing those concerns should be now subjected to forced access by a parent who is an abuser. You cannot say that will not occur if the child is unwilling to admit to that violence because of the dynamics within the family and because the support services are not there in order to identify it. I could go on.

I want to raise the issue of the recent incidents at Queen's University in Kingston which concern me. It concerned me that public statements of the male students' mock anti-rape campaign went completely unresponded to by this government. The president and the faculty at Queen's University made no public response to suggest that the male attitudes at that university were inappropriate for our society. It took three or four months, I believe, before the Minister without Portfolio responsible for women's issues even made a single statement or spoke out against the sort of conduct going on and the attitudes at that post-secondary institution.

Finally, I would suggest that a week from today the member will be in the House and before her will be my private member's resolution, a victims' rights bill for Ontario. I am hopeful she will consider that the elements of her bill speak as well, with equal measure, to the support for victims in this province.

Ontario and Alberta are the two lone, remaining provinces in Canada that do not have a victims' bill of rights. Alberta is actively pursuing one. Ontario has nothing. I am hopeful that next week the member will also support that bill as well.

Mr Fleet: The first thing I would like to do today is to quite sincerely congratulate the member for London South. I know of her deep interest in this area, not simply from the context of this debate but from other discussions that I have had the opportunity to have with her. I know she is deeply committed to seeing changes that advance the social condition of women, the economic condition of women, and to seeing social changes that also take place, as she indicated, in the attitudes of men in our society.

As other speakers today have indicated, the intent of this particular resolution is very laudable and the desire to see changes, to provide assistance if it is at all possible, is something that we would all agree with. Obviously, again, the focus on getting men to change in their behaviour is a key part of the ultimate solution to the problem of women who are battered.

There are, however, some concerns, and I now speak in my capacity as parliamentary assistant to the Minister without Portfolio responsible for women's issues about some of the impressions that might be gained by those who are watching or who will later read of this debate in terms of what the emphasis is in this particular resolution and the overall emphasis in this area of the Ontario government.

It is the first priority of the government that we provide as much protection as possible and as much assistance as possible to the victims of violence; namely, women and children. It is obviously a complex set of issues that are involved, as has been indicated by all of the speakers so far this morning, and we very much need to focus our resources. Resources are always scarcer than we would like them to be.

There is currently a five-year program that has been carried out by the Ontario government dealing with problems of wife assault. In the current fiscal year, just coming to an end in this month, the budget in this area is some \$41 million and the vast, vast majority of that has been focused, as our priority is, on providing assistance, providing shelter, providing all manner of counselling for women and for children who have been the victims of battering.

But in addition to trying to address the attitudinal problems and the behavioural problems of men, we have had for several years now in November a Wife Assault Prevention Month. This last year there were various parts of that strategy: television ads that were hard-hitting, radio ads equally hard-hitting, newspaper ads. These various media were used with different languages—I think there were 15 or 16 in all—with all of the different kinds of ads that were placed. In addition, I know the minister, myself and a great many other members took the opportunity to speak to local community groups to raise the consciousness, to get people to think about what the problems were all about.

I quite agree with the member for London South, we very much need to get men to address the issues, for men to talk to one another. Quite simply, this is a difficult thing to measure. Certainly, there are cases that I can recall where men would speak typically in a locker room kind of scenario in a kind of boastful way about how they might behave. We need to get that attitude changed, so that if they are so foolish and so insensitive as to express those kinds of opinions and to act in a way which is violent against women, it be very clear it is not a joke, it is not acceptable. In fact, wife assault, quite simply, is a crime for which there is no excuse.

I think we also have to be clear about the extent of the problem. The reality is that the pattern of wife assault exists in all cultural groups, all social categories, all income levels. It is a problem that is pervasive in our society. What that also means is that it is the responsibility of all of us in society to deal with that.

#### 1050

Quite often, people will think, "Well, it's a private matter." Women in particular are frequently ashamed. They do not want to admit it to friends or to family, let alone to officials they may never have met before in the justice system or in the medical system. We want to make it very clear that wife assault is not a private matter. It is everybody's responsibility.

I would also like to emphasize something which, particularly for men, is an important aspect in the attitudinal changes. I have recently put out a householder on women's issues and I want to quote briefly from it.

Of all of the things I have been reading as a parliamentary assistant, there were three particular facts that really leaped out that bothered me more than any others of all of the disturbing things I have read in my current capacity in the various studies, and that is that one in four women will be sexually assaulted in her life, half of those sexual assaults occur to women aged 16 or under and one in eight women is assaulted by her husband or male partner.

With respect to this resolution dealing particularly with the question of wife assault, I want to repeat: one in eight—an amazing figure, an astounding figure. I will now quote two brief paragraphs from my householder:

"The magnitude of the violence is so astounding that one might instinctively react by denying its existence, but it does exist. "These problems will be resolved only if we treat all individuals with equal respect. Equal access and equal opportunity to participate in society, whether achieving access to professions or feeling safe enough to take a stroll in the evening, must be guaranteed to all."

Those are the principles of the Ontario government. I know those are the feelings and the beliefs deeply held not only by the member for London South but I believe by everybody in this Legislature.

I think it is important for men to address the reality of the facts. We know that wife assault is underreported. We know that there are fears, understandable ones, and insensitivities that have been evolved with the justice system, and so there has been an emphasis to make the system work better, to be more sensitive.

A variety of things have been undertaken in terms of the Solicitor General's office and the Attorney General's office to make sure that we are really dealing with the crime and dealing with it in a very firm way to punish offenders, but it must also be clear that this resolution does not just deal with offenders. We know that not all instances of wife battering lead to something in the courts.

I would also like to touch on a point addressed about the effect on children. This I found quite a concern and quite significant. There are studies that show that, as has been indicated, children are present in a majority, a clear majority, of all wife assault situations. So typically, children are watching what happens.

There are other studies that indicate the negative impact that occurs to children when they are themselves the subject of beatings in terms of their future attitudes and behaviour is really not significantly different for those who just witness it. It has the same kind of negative impact on their behaviour and their attitudes in the future and that repetitive cycle that tends to develop. If children have witnessed or been the victims of assault, it tends to be part of their life as they become adults, either because they are more accepting of the situation or because they, if men, are more aggressive and are obviously behaving in a way we just cannot allow to continue.

I would also like to point out that the government has increased its funding considerably. In the current fiscal year, the increase for male batterer treatment programs was some \$105,000 in the Ministry of Correctional Services and that brings the total allocation to \$641,000. Also in the current year, the increase was some \$2.1 million in the Ministry of Community and Social Services and the total in the current year is in excess of \$8.1 million. This is for various counselling programs, including those for male batterers.

There are approximately 50 groups in Ontario that deal with various kinds of treatment, both those mandated by the court and those in instances of men voluntarily seeking treatment. There is also a study that is that is under way now through an interministerial committee chaired by the Ontario women's directorate.

The study has been conducted by the Ministry of Correctional Services and it is to try to deal with the question that is involved with this resolution. We do not know the results of it yet but I know it will be of some assistance to members when it comes forward. It is expected some time this spring.

On balance, there is concern, as I have indicated. I know other members will be speaking to this matter. Again, I would like to congratulate the member for London South because of her concern and for bringing the issue forward. I know the government of Ontario will remain committed to its objectives

nd to its priorities to provide as much assistance as possible to ictims of violence, both women and children in particular.

Mr D. R. Cooke: It gives me a great deal of pleasure to ise in support of the resolution of the member for London bouth and I do so, really, without any sense of trepidation whatoever. I think she has hit the nail exactly on the head.

I want to address the care with which I believe we must tart to move in bringing an end to the sexist and violent aproach that far too many men bring to their physical relation-

hips with women.

I listened to some of the statistics that some of the other peakers were citing. I do recall reading some statistics a year or so ago which indicated that one quarter of all women were exually abused before the age of 16, which is approximately alf the figure the member for High Park-Swansea indicated. In my event, there is no question but that sexual assault is a quite ommon, far too common, crime in our society. The number who are physically assaulted is far greater and it is a common vay of life that needs a whole new approach to challenge it. The government has taken a very comprehensive attitude and he throne speech for this session reflects a commitment to reventing violence against women and children as a step to naintaining a safe and secure community for all citizens.

I suggest that we really are looking at a three-pronged approach, speaking to integrating the initiatives in areas of (1) ervices to victims, (2) justice and (3) prevention and education. All three prongs must be active if the war on assaultive be-

naviour is to be won.

The Minister without Portfolio responsible for women's issues has taken a lead role during the recent break in the legislative session with her announcement of \$29-million funding over five years to address the problems of violence. Twenty-our million dollars of that money rightly go to improving services to victims, including the allocation of stabilization funds for rape crisis centres in the province, designations of sexual assault centres in hospitals and so on. It includes co-ordinating activities of service for victims, distributing forensic kits, staff raining, counselling for victims; all well and good.

Then we are continuing to work on justice. The whole approach to violence has improved immensely over the last decade. We have this advertising campaign that has been very successful, "Sexual assault is a crime." We see the advertising

n television.

The Attorney General's instructions to police and crown attorneys are to remove pretty well all discretion in cases of marital violence. There is no forgiveness. That, I suppose, has some value. It is working, I imagine, but what about the third prong? What do we do next?

Among the speakers we have heard, the member for Burlington South mentioned that we do need education, and that is why I suggested the Ministry of Education is the right ministry to be looking at it. Counsellors who are involved in this field tell me that we can extricate the woman from the situation but if we simply leave the man there, he is going to go on to seek another victim to dominate and possibly assault.

These programs must be encouraged so that the punitive stand that we have taken can be coupled with a holistic approach to teaching and understanding so that the offender can intellectualize that he has been taught the wrong patterns and can be shown new examples so that, as a male, he can unlock a new and different attitude towards women.

The third prong, then, cannot be ignored, and it is for that reason that I endorse the careful and thoughtful resolution the member for London South has brought forward.

Mrs E. J. Smith: I would be happy to wrap up this particular debate.

Of course, as in health, you could spend almost limitless money to create the perfect society. I think we all recognize that the business of government is the business of prioritizing and determining how best to spend its money to accomplish the goal we want of an as-close-to-perfect society as we can provide for our citizens.

It is for this reason that I want to emphasize, as the member for Kitchener has said, the preventive element. This is not in any way to detract from the need for criminalization or the need for providing services to those who are battered. It is simply to draw attention to the fact that the root has to be learned. The root is an attitudinal one and the schools are a logical place to start.

I emphasize the schools because this is a problem that must be approached while people are still young. The more we learn how difficult it is to change this behaviour, then the more we must come to this conclusion: The work that must be done must be done younger, must be done sooner and must be done in a preventive way.

With regard to other people's comments, I would simply say that I know we have excellent programs in place in our government on all these scores, but it was my desire to emphasize in this motion the need for proper education and the need for early prevention.

I know that it is really not an important element what ministry provides what service because people do move, as services move, from ministry to ministry. Presently certain ministries are involved in providing certain services and so we look to those ministries to broaden their programs into more protection and education. There is no concern for me what ministry should be doing it. That is not the point. The point is to emphasize the element of education, to emphasize the assistance to men so that we can put an end to this kind of violence within our society. I am sure the members will support me in this objective.

1100

#### EMPLOYMENT STANDARDS AMENDMENT ACT, 1989

Mr Mackenzie moved second reading of Bill 82, An Act to amend the Employment Standards Act.

Mr Mackenzie: It is my pleasure to debate in the House today Bill 82, An Act to amend the Employment Standards Act. As members in this House will know, my work at the Legislature is dedicated to finding solutions for the problems that workers in this province must face every day, and letting people get on with their lives in dignity and according to their hopes and desires.

My effort to establish a decent minimum wage is just one aspect of this ongoing effort on behalf of Ontario's working people. In my remarks I will focus primarily on a number of issues surrounding the need for a better, decent minimum wage. This is not the first time this issue has been before this House. I hope also to address the concerns expressed by both of the other parties in last year's debate in order to prove that this bill indeed merits their support.

One of the oldest refrains from both the Liberal and Conservative governments has always been that the best social program is a job, but the unfortunate reality in Ontario is that for some people welfare is a better deal than a minimum wage job.

That is appalling. For a society that glorifies the work ethic we have done very little to reward those who practise it.

What reasons do we have for withholding that reward? The members opposite have blamed inflationary pressures, potential job losses and cite international comparisons in trying to con the workers into accepting the dismal minimum wage that is offered in this province as a living wage.

That game of smoke and mirrors no longer fools anybody in this province. Let me explain. Let me address the argument regarding inflation. It is true that increasing the minimum wage will have an inflationary impact, but that impact will be slight compared to the 22 per cent drop in the purchasing power of minimum wage workers over the past 15 years. There are about a million full-time workers within a dollar of the minimum wage in this country, and as Terrance Hunsley, executive director of the Canadian Council on Social Development, tells us, "There are probably another million within spitting distance of that level."

Second, let us take a look at the argument that suggests a direct link between an increase in the minimum wage and job loss. Proponents of this view argue that increases in the minimum wage will mean an automatic loss of jobs for those at the bottom end of the career ladder. The reasoning holds that if employers have to pay more for these unskilled services, the jobs will disappear. There is simply no hard evidence to prove this theory. In fact, what evidence there is suggests the opposite. There is no disadvantage because all employers are affected.

In Sweden today, for example, they have a society which is far fairer than ours in terms of wage levels, one in which everyone is given the opportunity to raise his family at a decent level of income. They have in effect a system whereby no one is paid less than 70 per cent of the average industrial wage in Sweden today, and they have managed to do that without the kind of economic scares that we get from the Liberals and Conservatives or from their business friends about the disastrous scenario of lost jobs to the working poor. They have an unemployment rate in Sweden today of about 1.7 per cent, the second lowest in the western world. The only one that is lower is Norway's, another country that has a similar policy of fair and equitable wages for everyone.

In the case of Canada, however, the experts agree: The evidence of job loss resulting from attempts to improve the minimum wage is inconclusive. Let me share with members the conclusions of Judge Thomson's review committee, which over the course of a year looked into poverty-related issues. He notes that there are many people who strenuously oppose any move to substantially increase the minimum wage because of a negative impact on overall employment, but he concludes that this concern is not grounded in firm knowledge. He writes, "Although a large body of empirical research exists, the evidence of job losses resulting from increased minimum wages is inconclusive."

Lawrence Klein, the economist who won the 1980 Nobel Prize for his pioneering work in econometrics, states that he has not seen any evidence that persuaded him that minimum wage laws actually destroyed jobs. Even Arthur Flemming, the former US Secretary of Health, Education and Welfare, concluded:

"Other factors such as economic growth, interest rates and inflation have a far more profound impact on employment than does the minimum wage. The rationale that we cannot survive economically any other way has been used to justify"—I remind members of this House—"slavery, apartheid, unequal

wages and other forms of economic injustice. A low minimu wage is simply another example of economic injustice."

There is one factor, of course, which will inevitably affe Ontario's minimum wage and that is the Canada-US free trac agreement. With minimum wages in Kansas and Nebraska less than \$2 an hour, there will be increasing pressure in Canac to seek competitive advantage by cutting wages or benefit Inevitably this will increase deprivation for working class families as we compete with manufacturing industries in th US, a country with lower minimum wages and poorer labor laws.

Having said all of that, I would like now to set all of thes viewpoints into their proper perspective. As even my colleague in the two pro-business parties are beginning to concede, th profit motive can no longer be the sole dictator of our marke economy. While it was once true that business profit was th sole priority and workers were hired, fired and paid accordin to the prevailing profit formula, it is now being recognized the consumer and social needs, worker wellbeing and environmer tal protection must be integrated into the economic formula.

We have made advances with respect to the environmen. We must now recognize that the same priority must be given the workers' right to a fair return for their labour. We are morally obligated to develop an economic formula that recognizes the needs of people as a higher priority than the quest for profits.

#### 1110

How do I know we are falling short? Just look at the fact: According to Statistics Canada figures for 1986, eight per cer of the Ontario workforce received \$4 per hour or less at som time in 1986. In fact, Statistics Canada estimates that more tha a million or nine per cent of the workforce earned minimur wage or less at that time.

This is appalling, especially when you consider that the ranks of the working poor are substantially larger than the statistics today indicate. Why? Because minimum wage incomes fall far short of poverty lines. The income of a person working full-time in Ontario at minimum wage before deductions in \$10,400 a year. That is only 75 per cent of the poverty line for single person. Figures for a dependent family are even worse.

These figures in relation to the average industrial wag point to the appalling realization that the minimum wage had declined steadily in recent years. Between 1975 and 1987 th minimum wage dropped from 47 per cent of the average in dustrial wage in this country to 41 per cent. I propose that w bring this percentage back up to a respectable level of 65 pe cent of the average industrial wage. Given the current average industrial wage of \$11.07 an hour, my formula for the minimum wage would mean a wage of \$7.20 an hour.

This would give meaning to the very notion of a minimum living wage, because as it stands now the present minimum wage bears no relation to the cost of living, the poverty line of any notion of an appropriate distance between the bottom and middle rungs on the economic ladder. In short the minimum wage no longer serves as an effective standard of economic justice.

Let me illustrate this denial of economic justice. According to the Ontario Social Assistance Review Committee, the pur chasing power of the minimum wage has decreased by 22 pecent since 1975. Indeed the loss of purchasing power since 1986 has declined as much as 20 per cent for the person who receive emergency food aid and who can least afford it.

While on the subject of food assistance, let me share som further statistics. In the past three years the number of peopl using emergency food programs in the Metro area has doubled and there is a tremendous unmet demand as well. For those people who are receiving food aid, the December report of the Daily Bread Food Bank states that on average they have only 522 per person to pay for all expenses after shelter, including ood, clothing and laundry.

I repeat, there are working people, nearly three fifths of all poor families headed by single parents, who were supported by someone working either full-time or part-time. The statistics show further that many of these heads of households—in fact, 34 per cent of food bank users—are single parents.

The innocent but real victims of our inadequate minimum wage are children. We need to act now to transform the working poor into working people; people with a sense of pride and dignity who can live their lives according to their own hopes and desires. We need to reward their efforts with a wage that buts them above the province's poverty line.

Even business groups agree with my observations. They know that an hourly minimum wage of \$5 or less is simply not a livable wage. Most of them, however, have looked for alternatives such as the guaranteed annual wage, which unfortunately so a means of keeping the minimum wage at a subsistence level, it is hardly surprising that this would be the approach of the pusiness community. These calls are based on a fundamental misunderstanding of the relationship between an income supplement and increases in the minimum wage.

Referring again to the government-sponsored Thomson report, it concluded: "A program of income supplementation is not a substitute for a fair minimum wage. On the contrary, the two are complementary. The introduction of income supplementation must be accompanied by an increase in the minimum wage" in Ontario.

Mr McLean: I am pleased to have the opportunity to say a few words on Bill 82, An Act to amend the Employment Standards Act. Having said that, I am probably one of the few members in this Legislature who remembers working for \$2 a day, so I am well aware of the concerns that this member is bringing forward.

If this bill, which was introduced on 27 November 1989 by my colleague from the riding of Hamilton East, is passed by the Legislature, it will provide that the minimum wage cannot be less than 65 per cent of the previous year's industrial aggregate wage for Ontario as published by Statistics Canada. It is my understanding that if Bill 82 were in place now, the minimum wage would be approximately \$7 under the formula contained in this bill.

I think it should be noted that the current minimum wage for domestics is \$5; for students under the age of 18 it is \$4.15, and for waiters and waitresses who serve liquor it is \$4.50.

I would like to focus a little attention on the latter category by reading into the record part of a letter I received recently from a constituent of mine, Robert Newell of Orillia, who makes an eloquent case in favour of a higher minimum wage for those who serve liquor. Mr Newell's letter, which is dated 5 March 1990, reads:

"Dear Mr McLean:

"Thank you for returning my call this date with such haste. As per our conversation, I write to seek your assistance in having the wages of waiters and waitresses who work in eating places that serve alcohol reviewed and hopefully upgraded to at least minimum wage. At present, the minimum wage is \$5 per hour for all jobs except this one, which for some reason remains at \$4.50.

"I do admit these people also make tips, tips that at one time were pretty good. Many patrons do not like or feel they should have to subsidize the wages of waiters and waitresses and therefore do not tip.

"Most people do not know that these people make so little. I know of one waiter who is a single mother who works to support three children. Her pride dictates for her to work rather than get mother's allowance, welfare or UIC. She is an honourable person who slaves to wait on people who look down their noses at her for doing something she enjoys, because the public in general considers these people as uneducated and not able to improve their lot in life. It is never conceived that they may just enjoy the job. Waiters and waitresses work at their jobs and never receive yearly pay increases of three per cent to six per cent as most others do. They are left to the mercy of our politicians to see they are treated fairly because restaurant owners will only pay according to government dictates.

"Please, Mr McLean, do what you can to help these people attain a fair and equitable wage so they can survive in today's society. They do not retain dreams of home ownership or even dreams of going with their children to Canada's Wonderland. They can't afford it and have long resigned themselves to never having these things. They would, however, be happy to feed their children more than just macaroni and weiners and dress them in new clothes to give them a chance at a better future without being discriminated against by other children whose parents receive fairer wages."

"Thank you for any help or assistance you can offer. Take Bob Nixon to lunch and let him subsidize the waiter.

"Respectfully yours, I remain,

"Robert E. Newell."

I think Mr Newell's letter makes a better case for increasing the minimum wage than anyone here in this Legislature could make.

Waiters and waitresses who serve liquor cannot expect members of the public to be as willing to tip as much as they did in the past, and there is one main reason for this reluctance. This government has implemented over 32 tax increases since it came to power. This government is responsible for increasing the per capita debt for every man, woman and child in this province to \$4,159 from \$2,300. The debt has increased in this province from \$28 billion to over \$41 billion.

This government has forced the average Ontario resident to pay 10 per cent more in taxes every year since it came to power in 1985. This government's budgets in 1988 and 1989 cost Ontario taxpayers a minimum of \$2.6 billion in new taxes. Is there any wonder that people are reluctant to tip waiters and waitresses as much as they did in the past when you consider what this government has done to their disposable income?

When you take into consideration how brutal this government's economic policies have been on the people of Ontario, I have no problem with supporting this bill in principle. But I consider any minimum wage legislation to be social legislation that is all too often called a quick-fix solution to a very serious problem in the marketplace.

Competitive economic theory predicts that in the long run an increase in minimum wage levels will actually harm the employees it is designed to help through an adverse economic effect; that is, employment will be reduced relative to what it would have been in the absence of minimum wage increases. Firms will substitute other, relatively cheaper, input for higher-priced labour. As well, output will decline due to decreased demand, a direct result of higher costs.

The magnitude of the adverse employment effect depends on the shape of the demand curve for labour. If demand for labour is high, the effect is small. Such might be the case for skilled tradesmen, such as carpenters or electricians. These sectors, however, are not the ones most likely to be affected by minimum wage legislation. Low-wage industries, such as tourism and recreation, textiles and retail trade, will be the ones where adverse effects are the greatest. The demand for labour is low and will be decreased even further in the long run as firms substitute inputs and consumers look for cheaper substitutes.

#### 1120

Coming from an area of the province which relies heavily on tourism, I can tell members that labour accounts for a large portion of the total cost in this industry, and competition is always fierce. Employers will not be able to observe the wage increases. Workers will be made to suffer, especially the unskilled, who are most vulnerable. Younger workers and women who need employment, even at low wages, as a means to acquire job training and labour market experience in order to move on to higher-paying jobs will be most affected. The minimum wage theory works well if all workers have the same levels of skills productivity. However, this is not the case. That is the only place where I have some difficulties with Bill 82.

Farm workers hired during the harvest season are a typical example of people hired by those operating with tight profit margins in a low-wage industry. Produce prices dictate the wage pool, over which the farmer has no control. Driving up the price of seasonal help will only force the farmer to cut back on the number of employees he or she hires. I know about this situation because I own a dairy farm in Oro township and I have hired seasonal help to give somebody a job. If a minimum wage is not what I can afford to pay, then the people do not get the job.

But I want to tell members that they may recall that I noted that, if this bill were in place now, the minimum wage would be \$7. I believe that for anybody who has his or her own apartment and has to feed or clothe a family, \$7 an hour is certainly hard to live on. We on the farm have paid \$10 an hour to get summer help; good help, that is.

The problem I see with this legislation is that in the tourist industry, where one relies on tips and gratuities, there has to be a minimum wage that would also be acceptable to the industry. I am well aware of the situation and I have many people who come into my constituency offices in Orillia and Penetanguishene who make only \$4.50 or \$5 an hour, which is unacceptable. As far as I am concerned, it is unacceptable if somebody is expected to make a living, to house and clothe a family.

I think what we have got to be doing is educating industry to say, "Look, in order to get good help you've got to pay a decent wage." I agree with the member for Hamilton East and I believe I will be supporting his resolution because there is nobody who can live on \$7 an hour if you have got to clothe a family, raise a family and pay rent. The only difference I have with him is the fact that there are some people, young people, who need part-time summer jobs to gain and learn some experience. If there is some way that could be separated from the basis of the bill, it would certainly make it a lot easier for me. But I agree with him when he is talking about the minimum wage: there is nobody who can live on even \$7 an hour; \$10 would be more like a decent wage.

A year ago we spoke in this Legislature. I forget what the number of his bill was; I believe it was Bill 156, but I am not

sure. At that time I did not support it. However, having had th opportunity to see what has happened in the province witl regard to the cost that is laid on people, with the increased taxe they are paying across the board that this government has pu on them, nobody can live on under than \$7 an hour. I want to le the member know that I will be supporting his bill.

Mr Dietsch: The member for Hamilton East is certainly to be commended for his attempt to improve the plight of thi province's working poor through this private member's bill. It doing so, he certainly strikes a chord of concern that I think i common to us all.

This bill proposes that the minimum wage in Ontario be se each year at not less than 65 per cent of the industrial aggregate average wage for the year before. This would raise the curren minimum wage, by the member's figures, from \$5 to \$7.20 pe hour, an increase of 44 per cent.

There has been much debate over the years about the issue of minimum wage increases. We have all spent considerable time discussing the impact that would result from increases, but his goes beyond that, the normal parameters of the debate, and proposes action that gives us all cause for real concern.

I appreciate the intent behind this proposed legislation, bu to tie this province's minimum wage to a single economic component, and therefore hike the current wage by nearly 44 pecent, is not a valid solution to the problem. In fact, there is every likelihood that it could leave low-wage earners worse of than they were before because of the effects it would have or many employers and on the province's economy as a whole.

This government fully acknowledges the significance of the minimum wage to the working poor of Ontario, but even the report of the Social Assistance Review Committee, known as the SARC report, pointed out the importance of balancing the need for increases with other considerations. Economists regardless of their individual philosophies, agree that large increases to the minimum wage carry with them the likelihood of eliminating many low-wage jobs, which I am sure the member opposite would be concerned about.

The estimates of job loss vary from study to study, so that no precise estimate can be given with confidence, but it is clear from the available studies that the greater the increase in the minimum wage, the more jobs we would lose.

Mr R. F. Johnston: It has never shown a drop. Name one. Even Walker couldn't prove that when he tried it at the Fraser Institute.

Mr Dietsch: If the member would shut up and listen, he will hear. With an increase in the minimum wage of nearly 44 per cent, job loss would be substantial, perhaps in the tens of thousands. Perhaps that is all right with the members opposite.

It is perfectly obvious that the number of small businesses would have to cut back on hiring when faced with a big jump in their payroll costs. This would be particularly true for the tourism and hospitality sectors. Many restaurants, resorts and small retailers would find it very difficult, if not impossible, to absorb such a large increase in the minimum wage. They will not be able to simply pass it on to the consumer if they want to stay competitive in the international industry that is tourism today.

The group most threatened by cutbacks in low-wage jobs would be students and young people who make up more than 60 per cent of low-wage earners. These young people need such jobs, often their first jobs, to gain experience and establish a foothold in the job market.

29 MARCH 1990 257

Inflation is another risk associated with the proposed legislation. The honourable member for Hamilton East knows as well as I do that whenever the minimum wage goes up, it tends to have a ripple effect with it and effects on wage levels above the minimum. This leads to a higher wage component in the cost of production for all employers which in turn means higher prices in effect for consumers.

Because of the effect it can have on our small businesses, tourism, specialized agriculture and our whole economy, the minimum wage has to be determined through a more balanced and reasoned approach. We must take into consideration such factors—and I know the members opposite will be interested—as trends in consumer prices and wage rates, labour market conditions, the profile of minimum wage earners and the minimum wage jobs, the minimum wage in other jurisdictions and the effectiveness of other social policy tools being used to help improve the net incomes of the working poor.

Such a reasoned and balanced approach is precisely what this government is committed to and has been pursuing since 1986; that year we introduced an annual review process of the minimum wage so that we could make well-informed and responsible decisions regarding the need for increases. Since then we have acted consistently to prevent further erosion of the minimum wage. In fact, we have increased the minimum wage in Ontario by 25 per cent over the last four years alone. At \$5 per hour, Ontario's current minimum wage stands at the highest level to be found in any province in this country. In addition, it exceeds the federal minimum wage rate in the United States as well as the minimum wage rate in several border states, such as Michigan, New York and Pennsylvania, which, under the free trade agreement, is a very big concern to this province.

#### 1130

A moment ago I mentioned that our tools of social policy must be used in addition to the minimum wage to help improve the net incomes of the working poor. We are using these tools. For example, we enriched the Ontario tax reduction program so that an additional 50,000 low-income earners would benefit. As well, the government has committed \$415 million to increase and improve services to social assistance recipients. Benefits for families and children are being increased, employment support programs are being improved and barriers that act as disincentives to work are being removed.

In the longer term, the government is committed to the labour market adjustment strategies that focus on education and training and are designed to help many low-wage earners acquire the skills that open doors for better opportunities and better pay.

In closing, I urge members not to support this bill despite its good intentions. Minimum wage has to be adjusted on more factors. It would be a rash support and so simple of a solution to such a complex issue. As I have shown, the risks are considerable. Through job losses and inflation, this proposed legislation would leave low-wage earners even worse off than they were before.

Mr Allen: I rise to support Mr Mackenzie's Bill 82, An Act to amend the Employment Standards Act, in order to provide a minimum wage for the workers of Ontario which is at least 65 per cent of the average industrial wage. I rise with a certain amount of dismay. I thought perhaps my task would be a little bit easier than that of Thomas Phillips Thompson back in the 1880s, who wrote one of the first major studies of the politics of labour and the problems of labour in Ontario. What I have just heard reflects precisely the arguments that were used against

Thomas Phillips Thompson and all his colleagues in the 1870s and 1880s who sought some adequate adjustment of hours of labour, sought some adequate living wage for working people in this province.

**Mr Wildman:** Mike Dietsch would have been a Conservative in the 19th century.

Mr Allen: The arguments have not changed. They are precisely from the mouth of the member for St Catharines-Brock as they were from the electrified and shocked business community when anybody suggested that perhaps an employee's hours should be reduced from 12 hours to perhaps 10 or nine a day. Yet in the course of time there have been hourly adjustments, there have been benefit adjustments, there have been wage adjustments, and we have not seen the economy of Ontario go into massive decline as a consequence.

If this question is a matter of such concern to the member for St Catharines-Brock or the government that he appears to speak on behalf of this morning, why is it that when this issue has been raised time and time again there have been no substantial studies in this province done on the impact of the minimum wage? Why do we not know what the effects are? There are none to be pointed to. Whenever we ask the Treasurer of this province to undertake a study of the impact on the economy of poverty, the cost to this economy and to this government of poverty in this province, why do they hesitate to do the study, unless it is that it would shatter the myths by which they live?

I appreciate the arguments and the support of the member for Simcoe East, but when he referred to "competitive theory tells us," it is the same language all over again. What does competitive theory tell us? What is competitive theory? Competitive theory is the anecdotes that are swapped back and forth by employers over their expense account lunches. That is what competitive theory is. It has nothing to do with substantial studies of economic realities.

When, for example, in 1982 the US National Bureau of Economic Research employed economists to do a major study and report on the minimum wage for the federal government in the United States in 1981; when in 1983 the US General Accounting Office undertook to study the same question for the Senate committee on labour; when the Congressional Budget Office released a report in March 1989 on the effects of increases of the minimum wage on the economy of the country and regional economies, they could find no conclusive evidence that significant increases in the minimum wage in that country had any substantial impact that one could measure anywhere on the question of employment or unemployment, the question of wage rates and the question of the future and the stability of the businesses concerned.

There was possibly one small marginal item. There might be some measurable impact on teenage employment, but nobody could be quite sure because the factor was so small.

Why, for example, is it that we have studies, like the one we have just received from the Ministry of Industry, Trade and Technology, on the circumstances of small business in this province, a whole volume which reports on the growth of small business, the expansion of small business numbers, the increasing employment in the economy by small businesses? It tabulates, in clear tables, the clear minimum wage policies of small businesses of zero to four employees, of five to 19 employees and so on, but there is nowhere in this volume any reference of the impact of the minimum wage policies in those industries on the very lives of the workers who are being referred to; no study of the impacts on the economy, on the possible purchasing

power, for example, that might come as a result in the economy of increases in the minimum wages of those employees; nothing that would tell us that this government is even remotely interested in the fate of working people who work in small businesses that pay minimum wages.

The member for Hamilton East is quite right. Those industries are normally small industries that compete with one another in local markets. If members look at the arguments about the tourist industry that have just been retailed to us from both sides of the House as part of the arguments of the member for Simcoe East, who I am happy to see is supporting the bill, and the arguments of the member for St Catharines-Brock, who is opposing it, the most significant economic factor that impacts on the tourist industry is the relative value of the Canadian and American dollars, for Pete's sake. It has nothing to do with wage levels. People will come back and forth across the border more or less depending on how much gain they can get on the value exchange of their dollar. The minimum wage question is relatively insignificant in terms of the future of the tourist industry in this province and in this country. The member opposite ought to realize that.

We are quite aware, from the studies that have been made on food banks and the studies of poor children in this province, that there is a tremendous loss in human resources in terms of the capacities of people to participate creatively in our economy. By the mere fact that we have minimum wages of the level that we have, by the mere fact that poverty breeds so many problems for the people concerned, they spend the rest of their lives trying to get over the impact of having been brought up in families who have to survive on minimum-wage-level poverty.

If we would only invest in adequate minimum wages, in income adequacy in this province, in social assistance rates, then we would begin to address the major cost factors and the big burdens in our economy.

#### 1140

I have much more that I would like to say on this subject, but it certainly seems to me that if one looks at the purposes of an economy, if one looks at the reasons why people are working in the first place—to put food on the table, to put shelter over their families' heads and to give them a dignified existence—there is no moral claim that is any stronger on this government than the need to improve the minimum wage to at least the level that the member for Hamilton East advocates, namely, 65 per cent of the average industrial wage, and to keep it there for future workers in this province, if not to improve that.

Ms Oddie Munro: I am pleased to speak to Mr Mackenzie's proposed private member's bill to increase the minimum wage in this province. I am supportive of the intent of the honourable member but would like to express my reservations.

Notwithstanding the arguments put forward by the opposition members today, it may be that such a step would prove to be a hindrance rather than an assistance to many of the minimum wage earners in Ontario, and we need to examine this possibility very carefully.

Each one of us, as MPPs, is aware of fair wage policy, the problems of the working poor and the needs of people in our ridings who are at the minimum wage level. Most of the concerns for adequate wages relate to some aspect of job guarantee, job security, health of the economy and the relationship between wages, consumers, prices and the marketplace, and of course, quality of life. These are in fact the very issues that this government has been grappling with through social reform,

reflected in the Social Assistance Review Committee report. labour amendments, industry trade initiatives to secure job markets or initiatives in skills and training to equip workers for changing job markets. I might add that demonstrable effects of the SARC report are still out since we have not implemented all of the recommendations.

Each of us must be concerned about the negative impact on employment, on jobs, that this bill could, and I state "could," produce. Since the government is concerned about the minimum wage and reviews it regularly, this discussion is timely and I am sure will be taken into account by those ministers most affected.

Part of job guarantee is ensuring that the job is there and not subject to economic disruptions. Is minimum wage related to potential job loss? Well, it is related, but it is difficult to precisely define the degree of job loss that would occur.

There are studies, and estimates do vary. However, there is evidence that large, significant increases in the minimum wage will likely eliminate many low-wage jobs. If the minimum wage is increased by nearly 40 per cent, as is proposed by the bill, it will not be unreasonable to expect job cutbacks by small businesses, particularly in the tourism, hospitality and retail sectors. Let me emphasize how vulnerable the northern parts of our province would be in such a scenario.

Many small businesses, including some restaurants, resorts and retailers, would find it difficult to absorb a large increase in the minimum wage. There is an equal likelihood of inflation, as wages above the minimum level are pressured upward. Without a precise formula that accurately reflects both labour costs and employment effects, tying the minimum wage to the industrial average wage is a form of indexing that will simply add to the spiral of inflation.

We can expect the young to feel the brunt of cutbacks in low-wage jobs, and the longer we keep them from the job market and the vital experience of work, the less chance they have of creating decent opportunities for themselves.

The minimum wage is only capable of treating a symptom; it does not address a disease. If we are to significantly improve the lot of the working poor in this province, then we require a more comprehensive approach and a focus on long-term solutions.

The government is already taking such an approach and is focused on long-term solutions. As members know, the combined efforts of several ministries are directed at developing and implementing labour market strategies that will help low-wage earners acquire skills that bring higher wages. The Premier's Council will soon be coming out with recommendations as to how this province can best develop its human resources—yes, its people. This is the approach that will help ensure a productive, competitive, high-wage economy in Ontario. It is the approach that is needed to best help the province's working poor.

A letter dated 29 March to the Minister of Labour and the Minister without Portfolio responsible for women's issues from the Ontario Advisory Council on Women's Issues, while supporting the initiative of the member for Hamilton East, along with recommended amendments on parental leave, calls for a comprehensive review of the Employment Standards Act in order that labour standards reflect the reality of women's participation in the labour market.

SARC recommended tying the minimum wage to the average industrial wage but did not provide a formula. The "not less than 65 per cent of the industrial aggregate average for the previous year" proposed by the member for Hamilton East is an attempt to provide for inflation, yes; relationship to the overall-

wage scales, yes, and presumably job security. It does not provide an analysis of how he arrived at 65 per cent, the impact on geographic regions in Ontario, a sectoral analysis of current wage earners in the minimum wage category by employer, nor does it indicate the number of people who progress from minimum wages and entry level to other wage rates, nor the company policy relating to such.

The member for Brantford on Tuesday of this week asked the Minister of Labour re purchasing power of the dollar in today's economy and deliberations on minimum wage. The Social Assistance Review Committee report suggested harmonization of minimum wage with social assistance levels, recognizing that minimum wage is only one of many instruments used to assist low-income families and individuals. Job security and job guarantee does not come from increased minimum wages alone, as suggested to the minister in his review of minimum wages. A suggestion may be to look at regional minimum wage policy. Minimum wages may be more acceptable to workers and employers in some regions and not in others, and this is directly tied in to purchasing power.

Minimum wage dictates exactly that. This government has encouraged individual employers and businesses to look at what is affordable, what is doable, given the economic reality and social reality of businesses and their workers to provide opportunities for job advancement.

Because of my reservations about the relationships with the total job market, job guarantee and the context of government initiatives—and minimum wage is one aspect of job security and opportunity—I must vote against the bill. I do, however, support the intent of the bill and recommend that the Minister of Labour take into account the discussions in the Legislature today as he and the government wrestle with minimum wages in their next review.

In closing, I am certain this topic will continue to receive the attention of the members of the House and I thank members for the opportunity to take part in the debate.

Mr R. F. Johnston: I rise with pride to support the member for Hamilton East in his continuing battle over these 15 years that he has been here, and 11 years that I have been in the House, to try to get governments to come to grips with the need to have a minimum wage which is tied in some sensible fashion to some kind of indices which will allow it to be meaningful and not maintain people in poverty.

When I listen to Bette Stephenson reincarnated on the other side of the House—she has lost her pompadour hairdo and has grown a moustache in the member for St Catharines-Brock—and I hear all those right-wing Tory arguments from the Fraser Institute, all hogwash, about the negative effects of raising the minimum wage, it just makes me cringe to think that is where reform Liberals are today in terms of this issue.

I remember where you were when you were in opposition; it is a shame to see where you are today.

The Deputy Speaker: Address the Speaker, please.

Mr R. F. Johnston: There has not been one study, Mr Speaker—I am speaking to you rather indirectly here—in this country or in the United States which has ever proven a negative impact of a major increase in the minimum wage, and I defy any member over there to come up with one which will show me one. It is not true. We do not know that there will be negative impact.

Do you know that Saskatchewan in the mid-1970s—

The Deputy Speaker: Address the Chair, please.

Mr R. F. Johnston: I am. I do not have to look at you to address you, sir. I am addressing the Speaker.

I just want to say that Saskatchewan in 1975 had a minimum wage that was \$1.50 higher than the minimum wage here in Ontario. It was a province which should have gone bankrupt, in the member's theory that he is proposing today, and yet it had the lowest unemployment rate in the country at that point, under a New Democratic government.

We do know the impacts of the present minimum wage policy. People are on bread lines. People are now going to food depots to get money and soup kitchens to eat. They are going to have to take intolerable housing conditions because of the minimum wage policies that this government has.

It is preposterous to have a member on the other side get up today and talk about the various indices that are required and have a balanced approach to this. We know what the approach has been. It has been to allow the minister on an ad hoc basis, every year, to raise the amount for minimum wage as he sees fit. And the member has the gall to say that they have been able to manage to keep the status quo, knowing how poor that is in terms of the relationship to poverty lines or the average industrial wage or any indices that we want to compare it with in the province.

I think it is amazing that even yesterday, or the day before yesterday, when the member for Brantford tried to raise the minimum wage issue, we heard from the minister that he again this year is not proposing to publish a white paper on the indices that should be used, is not proposing to set up some kind of means of tying minimum wage to other kinds of benefits and structure so that it is meaningful. He does not suggest that at all. He just says that on 1 October he will look at it again and will decide whether or not the fact that it has dropped so much since 1975 should be a factor in his raising the amount by some arbitrary amount this fall.

#### 1150

The Liberal government is not a new government; it has been in power since 1985, and it has not dealt with this fundamental issue. Of that, they should be absolutely ashamed. If I had longer to speak, I would talk to the government about what this means in other terms, because the minimum wage affects people in sheltered workshops and what they get for what they do, and the obscene policies we have in Ontario maintaining Tory policies on keeping people in servitude in those kinds of positions. We have a differential rate for students, we have a differential rate for people working on farms, we have a differential rate for people working in the liquor industry, all accepted by this government, all accepted in terms of the total incongruity with anything to do with social justice or a co-ordinated plan, and the best the government can do today is put up the member for St Catharines-Brock to quote the Fraser Institute.

The government members should all be ashamed. This is not progressive reform policy that they have. I encourage all people with any conscience to support the member for Hamilton East in his request today, which is eminently sensible.

Mr Mackenzie: I am a little disturbed—I do not get disturbed; I get angry sometimes—at the garbage arguments that came from the member for St Catharines-Brock and the member for Hamilton Centre, and garbage arguments they were. They took us right back to the hungry and dirty thirties. Mitch Hepburn obviously rides again in the Liberal Party in Ontario.

If the arguments made by the member for St Catharines-Brock are the position of the government, and I suspect they are because he is the parliamentary assistant, then we have had literally another doublecross by this government in Ontario, because there was a clear call for substantial increases in the minimum wage in the Thomson report, and these people are just saying, "It doesn't mean a darned thing."

I want to make a point just quickly, if I can. A guaranteed income supplement is not enough to improve the lot of Ontario's working poor, but an increase in the minimum wage is. To increase the minimum wage to 65 per cent, you divide Ontario's industrial aggregate average weekly earnings by 44. This way we can ensure that the full-time working people in Ontario will live above the poverty line. Thus, and only thus, will our minimum wage really become a living wage.

I recall the arguments of the Liberal Party's own leader. Its leader, the Premier, in March 1989 said a state that does not put the welfare of its most vulnerable members ahead of other considerations is a state that cannot justify its existence. Surely there could not have been a more eloquent way to put it. Given the garbage that has come from the Liberal Party today, this is a party which does not put the welfare of its most vulnerable citizens ahead of anything else. It does not deserve to continue a role in leadership, or even to exist as a political party, in the province.

The members who made the kind of rubbish arguments we heard here today are a disgrace to poor people and to working people in Ontario and they should be totally ashamed of themselves.

The Speaker: I should remind the member for Hamilton East of the rules under private members' public business. If he wants to work himself up again for another two minutes, he may.

Mr Mackenzie: Mr Speaker, I am also a practical man, and if I thought there was any possibility at all of getting through one of the thick skulls on the other side of the House, I might, but it is obvious they have made up their minds, they have their marching orders and they are still in the pockets of business. We are going nowhere on this issue. It is really a tragedy for the people of Ontario.

An hon. member: Tell him he has still got a minute and 30 seconds.

The Speaker: No, I have given him one chance.

I would remind all members that we do have a standing order not to use insulting or abusive language too. It sort of helps in here.

Our standing order also says that at 12 o'clock I should place the two items before the House. I would have to, I suppose, ask if there is unanimous consent.

Mr R. F. Johnston: It looks like noon to me.

**The Speaker:** Are the members of the House agreeable to go ahead with the motion?

Agreed to.

**The Speaker:** We will deal then with ballot item 37 and ballot item 38.

#### VIOLENCE AGAINST WOMEN

**The Speaker:** Mrs E. J. Smith has moved resolution 44. Motion agreed to.

1200

#### EMPLOYMENT STANDARDS AMENDMENT ACT, 1989

The House divided on Mr Mackenzie's motion for second reading of Bill 82, which was negatived on the following vote:

#### Ayes-14

Allen, Breaugh, Bryden, Charlton, Cooke, D. S., Grier, Johnson, J. M., Johnston, R. F., Kormos, Laughren, Mackenzie, McLean, Philip, E., Wildman.

#### Nays-34

Cooke, D. R., Curling, Daigeler, Dietsch, Epp, Faubert, Fawcett, Ferraro, Fleet, Fulton, Keyes, LeBourdais, Leone, Mahoney, Mancini, McGuigan, Miclash, Miller, Nicholas, Nixon, J. B., O'Neill, Y., Oddie Munro, Patten, Pelissero, Polsinelli, Poole, Ray, M. C., Reycraft, Riddell, Roberts, Smith, E. J., Sola, Velshi, Wilson.

The House recessed at 1205.

#### AFTERNOON SITTING

The House resumed at 1330.

#### **MEMBERS' STATEMENTS**

#### **BIG BROTHERS OF NIAGARA SOUTH**

Mr Kormos: Last month I had the real pleasure of being at the 26th annual general meeting of Big Brothers of Niagara South. While there, I was able to greet many old friends, all of them people who belong to that silent army of volunteers. Without it, Big Brothers could never be the success that it is.

From the executive through to the volunteers, one could not nelp but be impressed. The retiring president, Scott Brown, remains active not only in Big Brothers but also in Jaycees. New president Joan Elliot, recently retired from E. L. Crossley school, is a lady of great energy and compassion. We are indeed ucky to have her in our community. We were able to meet Greg Whelan, the new executive director. He succeeds Mikki Roy, whose talents, hard work and enthusiasm are acknowledged by all who know her.

Appropriately, awards were presented. Wendell Callbeck was recognized for his 20 years of contribution to the board of Big Brothers. In addition, Wendell has been a Big Brother himself for 24 years now. When people mention Big Brothers in Niagara, they immediately think of Wendell Callbeck. Eric Farnell, Dave Vanderzanden and Al Boison were recognized for 10 years of Big Brothering, and Bob Shibley for 20 years.

These people and many more are to be congratulated for their quiet and passionate service to their community, to their province and to the many, many young people whose lives have been touched and indeed bettered by their volunteerism and participation and their compassion for others in their community.

#### MINISTRY OF THE ENVIRONMENT

Mrs Marland: April 1 marks the 18th anniversary of the Ministry of the Environment. On 1 April 1972, as part of the reorganization of the Ontario government, the Ministry of the Environment assumed responsibilities that had formerly been shared among the Department of the Environment, the Ontario Water Resources Commission and the Department of Health. The Progressive Conservative government of the day created the Ministry of the Environment to achieve the planning, co-ordination and control that are essential for the government to provide environmental leadership.

However, my experiences with the current Ministry of the Environment under the Liberal government lead me to question whether this ministry has lost sight of its mandate to protect human health and the ecosystem by ensuring that acceptable standards of air, water and land are maintained.

I am particularly concerned that the Environment minister seems incapable of proactive leadership. For example, it took the disastrous Hagersville fire to spur the minister to announce changes to the Environmental Protection Act, a tire recycling program and security measures at tire sites. The fire could have been prevented had these measures been in place as part of good preventive planning by the minister.

April 1 should be a day of celebration for all environmentally concerned Ontarians. Instead, it is April Fool's Day, and we all know who the April fool is.

#### BASKETBALL CHAMPIONSHIP

**Mr Ferraro:** I want to take this opportunity to bring to the members' attention yet another outstanding achievement from the city of Guelph. Indeed, this event is especially gratifying to me since it involves my alumnus, the University of Guelph.

As many members will know, the University of Guelph Gryphons men's basketball team won its first-ever Ontario university basketball championship. By doing that, they got to carry this province's honour into battle at the Canadian finals two weeks ago in Halifax.

To avoid reopening painful wounds, I will not mention that the Gryphons beat the University of Western Ontario Mustangs on the way to the Ontario title. I also will not mention Guelph's win over the University of Toronto in the first game of the Canadian championships. Instead, I want to express how proud all the people of Guelph and of Ontario are of these young men for the devotion, hard work and dedication it took to even get there. I might say that the brand of basketball we received in the city of Guelph this year was even a little bit better than when I was a member of the team.

While Concordia University managed to beat Guelph in the final game, our pride was not diminished by one bit. They gave the people of Guelph and Ontario everything they had, and that is all we can ever ask.

To coach Tim Darling, the players and everyone connected with the team, I want to offer my thanks and congratulations on an outstanding season. And I want to add that I am saving a copy of this speech because there is absolutely no doubt that I will need it again next year.

#### ONTARIO FOOD TERMINAL

Mrs Grier: Two successive Liberal agriculture ministers have now refused to reform the Ontario Food Terminal, a provincially owned facility run by big business at the expense of small business. In 1979 and 1988 committees of this Legislature reviewed the functions of the food terminal and recommended major reforms. They were ignored.

Today I want to draw attention to a very specific problem. Five new units are being built at the terminal. There is room for 10, there is need for 10, and the standing committee on the Legislative Assembly recommended 10. But the board of the terminal demanded that prospective tenants put up \$581,000 to cover the cost of construction, so only five tenants were found and five units are being built.

Tenants not only have to pay over half a million dollars to construct a warehouse of 5,000 square feet, but they must then pay rent and they have no control over the design of the units. The board insists that the new units be built the same as those built in 1954—hardly world-class.

I would have hoped for better from the current minister. I wrote to him in October and I met with him. I wrote again in January, and yesterday he replied saying what I already knew: "The new units will be built to the board's original plans."

The minister was born on 23 April 1948. He was six years old when the present food terminal was constructed. A student during the 1960s, he showed independent and even progressive tendencies. Now that he is in a position to actually implement reforms, instead of being a product of the 1960s, he has reverted to the 1950s. What a shame.

#### TORONTO TRANSIT COMMISSION

Mr Cousens: Tomorrow, 30 March, marks the 36th anniversary of the official opening of Toronto's subway system by what is today known as the Toronto Transit Commission. On that day, the city of Toronto and the provincial government took pride in establishing what was to become one of the finest transit systems in North America and probably the world.

Over the past three decades, the foundations of the Yonge subway gave rise to the expansion of a transportation network that today serves millions of commuters in Toronto and the greater Toronto area. Thirty-six years ago, the establishment of the Toronto subway system also spurred the development of what is today a vibrant and dynamic urban community.

Over the past 30 years, Metropolitan Toronto's transportation system played a pivotal role in shaping the pattern of urban growth. The major transportation systems built during those years were constructed first, and development then followed. However, over the past several years something has gone terribly wrong. There have been no major expansions to the existing transportation infrastructure similar to what was done in 1954.

Today's announcement regarding Seaton, which I will comment on later this afternoon, is an example of this government's failure to plan for the future of the greater Toronto area's transportation network. Again we witness piecemeal, window-dressing announcements. We are failing to keep pace with the demands that development has created. We are failing to manage growth. Until a very real commitment is made by this government for transportation planning, we are failing the people whom we serve.

1340

#### DAVE VAN BELLEGHEM

Mr Miclash: It gives me great pleasure to rise in the Legislature today to pay tribute to an outstanding individual in the field of athletics.

Just recently, Dave Van Belleghem of the town of Kenora was drafted by the Toronto Argonauts in the fourth round of the Canadian college football draft. This is an outstanding achievement for Dave and his family, and the people of Kenora are very proud of him.

Dave is 23 years old and has been attending the University of Calgary for the past four years. He will be graduating this spring with a degree in physical education. Dave plays for the Calgary Dinosaurs in the position of defensive back as well as punt/kick returner. In his first year of play he was chosen rookie of the year, and in each subsequent year Dave has been selected as a western all-star.

Dave also excels and competes in the area of track and field and hopes to secure a position on the Canadian bobsled team.

On behalf of myself and the people of Kenora, I extend best wishes and good luck to Dave Van Belleghem when he attends the Toronto Argonauts training camp, which opens on 12 June.

#### HEALTH CONCERNS AT SCHOOLS

Mr R. F. Johnston: I was amazed to see in the paper the admission by the Minister of Labour that he does not believe that parents, teachers or school support staff should be allowed to conduct independent testing for asbestos in the school system.

Can members believe that? It is incredible that parents should not have the right to bring in their own independent evaluator of a situation when they are concerned about their kids, that they should rely only on the Minister of Labour to

conduct these kinds of tests—the Minister of Labour, who does not go ahead and lay charges, who gives boards countless excuses to avoid taking action, who does not recognize clearly the serious dangers of asbestos in the schools.

As Liberals, the government is saying that the parents do not have a prima facie right to protect their children by bringing in their own independent consultants. Is this the government that is bringing forward Bill 208? Is this the government that believes that in point of fact there should be worker involvement in decisions around their health and safety? Should not a representative there be able to call in somebody he trusts to give an independent view?

I think this government has been exposed here today as the kind of Big Brother that it is.

#### CHILDREN'S MENTAL HEALTH SERVICES

Mrs Cunningham: Currently in our province there are over 10,000 children waiting for mental health services. If the Minister of Health wants these numbers verified, perhaps she should phone the 85 children's mental health centres and ask the executive directors to describe the real needs of the children on the waiting lists. Routine cases, as we used to call them, are waiting six or seven months for their first visit. What child so desperately in need of help that he or she has been referred by physicians, teachers and others should be asked to wait six or seven months?

Professionals working in the agencies must ask the question, one we never had to ask, "Which child is more suicidal?' so that he or she can get treatment first. That is a reality. That was never a question that was asked five years ago as we looked at families and children in need of help. We just helped them. What has happened?

Hon Mr Black: No services.

Mrs Cunningham: They were there. Madame Vanier Children's Services was started with the help of the member for London South; it was 10 years ago that we looked at that agency, and it provided the services then. We cannot afford to wair until June for Dr Maloney's report and then take even more time to review the report's recommendations. The Ontario Association of Children's Mental Health Centres deserves more than two hours of Dr Maloney's time. The consultation process is not working. We need an independent study.

#### SEXUAL ASSAULT

Mr Reycraft: This afternoon, I want to share with the assembly some news about an important study being done by some people in my riding of Middlesex.

The London Co-ordinating Committee on Family Violence is launching a study to find the best way to offer counselling services to victims of sexual assault in Middlesex county and the city of London. The victims this study will focus on are adults now. Susan Ralyeia from the committee tells me that as many as 60 per cent of our entire population, men and women have at some point in their lives been sexually assaulted.

We often think of sexual assault as being a big-city problem. However, this is simply not the case. It is also incorrect to think sexual assaults are only common in a certain socioeconomic class. Sexual assaults happen in every type of family, in every corner of this province.

Some of the victims are able to be helped soon after the assault, but others carry their trauma with them for years before realizing it is okay to reach out for help. The Ministry of Community and Social Services has recognized the need to counse

263

people who, after years of silence, are just now reaching out for help. A grant of \$26,800 will pay for a study to determine how to co-ordinate these counselling services in Middlesex county. When it is completed this fall, I will gladly report back to the assembly and the people of Middlesex and London on its findings.

#### STATEMENTS BY THE MINISTRY

#### SEATON COMMUNITY DEVELOPMENT

Hon Mr Sweeney: This morning, the Premier and I were in Pickering to announce the creation of a new kind of community. It will be a home for 90,000 people on 7,000 acres of land currently owned by the people of Ontario. This is an opportunity to create an entire community from scratch. In fact, this is an opportunity to define what a community of the future can be.

We will take the best ideas of what has worked well in the past, apply the solutions of today and provide for the needs of tomorrow. We will tap the most innovative minds through a dynamic partnership involving the province, the town of Pickering, the region of Durham, the builders and the public. We must involve everybody if we are truly to create a community in the true sense of the word.

We have seen a great many changes in the past few decades: a changing population, changing lifestyles and changing needs. There are more single-parent families and more families where both parents work full-time. There are more seniors choosing to live longer in the community. There are more single people choosing to live on their own. This will be a community that is accessible to households of all incomes.

There will be non-profit homes for rent, starter homes for first-time buyers and homes for second- and third-time buyers. It is a community where people will want to be. This will be a community for the 1990s and beyond. It will serve as a model for development and its innovations shared and adapted right across this province.

It will be a working example of this government's commitment to our environment. Conservation will come naturally to the people of this new community. For instance, it will be planned in a way that encourages conservation through widespread use of public transit. Targets will be established not only to encourage the use of buses and trains but also to conserve energy and water and to reduce household waste. It will be a compact community that uses land wisely.

What we do not develop on the Seaton lands will be just as important as what we do develop. Every effort will be made to preserve and enhance important natural assets for the people who will live and work in this community. Development which is environmentally sound is also economically sound. We intend to illustrate that principle in Seaton.

It will be a new approach to development in Ontario that will allow us to preserve more land, as we have just done in the Rouge. As we get the kind of support we need for compact, conserving communities that use less land, there will be more land for other purposes such as open space, wildlife habitats and agricultural use.

Members will know that plans for a community on this land have been talked about since the early 1970s. It is an opportunity this government is not going to let slip away, and it is an initiative that fits in well with what the government is determined to achieve in the greater Toronto area.

There is a need for green space, so last Monday the Minister of Natural Resources announced the preservation of the Rouge. There is a need for more housing, so today we are announcing plans for a new community in Seaton. To move these people around efficiently, the Minister of Transportation this morning announced some important initiatives he is taking in this part of the greater Toronto area. There will be more to come.

These are all co-ordinated steps this government is taking to manage growth and ensure a high quality of life for the people of this province. They reflect the four principles the Premier spoke about last week: growth that preserves and enhances our natural environment, enhances our quality of life and promotes long-term economic prosperity, all at the direction and leadership of the province working with strong municipal governments.

#### 1350

One of the ways we will achieve these goals is by encouraging wide public involvement in the planning and development process, and to ensure that these values and goals are honoured in this new community, we are establishing a public corporation to oversee all aspects of planning. A memorandum of understanding between the corporation and the government will clearly describe the kind of community we want, how it is to be achieved and the matters of timing. We expect preparations for development will begin as soon as possible. The first stage will include housing for more than 5,000 people.

Our goal is a community in which people can live as well as work and where their social, cultural and recreational needs are met. The public corporation will work with provincial ministries, local governments, the region and the private sector to maximize opportunities on the land within Seaton that is zoned for industrial use. The corporation will encourage members of the public to participate and to offer advice on such planning matters, and members of the public will sit on advisory panels designed to assist the corporation on a wide range of issues, including the environment, social services and construction.

The corporation will work closely with the town of Pickering and the region of Durham and with builders and developers both big and small. In fact, the corporation will ensure that there are good opportunities for small builders, and there will most certainly be opportunities for innovative thinkers. In fact, one of the first duties of the public corporation will be to arrange for a design competition. It will solicit the latest ideas on community planning from the brightest minds in Ontario and elsewhere.

To get the public corporation up and running as soon as possible, I have appointed a seven-member panel to make recommendations to me for the position of chair of the corporation. I expect to announce the name of that chairperson in the very near future.

I believe members will agree that this corporation will have a vital role, not just in building Seaton, because builders are the experts, but in shaping Seaton. This is an opportunity for the province to join in partnership with local governments, members of the public and the private sector to create a community that will be a working model for the coming century for this province.

Hon Mr Wrye: Three days ago, I informed the House of our decision to support the preservation of the Rouge Valley by considering other transportation options in the northeastern part of the greater Toronto area. Today you have heard my colleague the Minister of Municipal Affairs and Housing announce the new Seaton community to be built in that region.

Obviously, a new urban area of 90,000 people will create transportation demands, but it is also a unique opportunity to incorporate forward-thinking transportation planning into this new community right from the beginning. Our approach to meeting the transportation needs of Seaton will rely on making public transit a sensible and viable option. We will undertake a fully open and public planning process with the people of Durham and Pickering to determine the needs of the existing and future communities. Together we will work to build the transportation links that will make Seaton a vibrant, healthy place to live and work.

First, we will pursue community design that promotes transit use by making Seaton an employment destination as well as a good place to live. Our goal is to reach 30 per cent transit use during rush hour. This emphasis on public transit has a number of environmental benefits. For example, it contributes to reducing vehicle emissions and represents one of the government's contributions to meeting the challenge of global warming.

Second, we will ensure street layouts which make bus service accessible and efficient. Arterial roads within the community will be designed for the operation of buses. Transit access to Seaton will be a priority. In co-operation with Durham and Metro, we will provide for reserved bus lanes on Steeles Avenue and Taunton Road and on Brock Road. We will create a direct Brock Road bus connection with the GO rail station at Pickering.

Finally, we are providing Durham with the funding to connect Taunton Road with Steeles Avenue and we will commit funding to Metro Toronto for the widening of Steeles. These immediate initiatives are essential components of linking Durham and Metro Toronto.

Our transportation plans for this community will respect the natural environment, they will meet the demands of new growth and they will be developed in a process that fully involves the existing community.

Seaton will be integrated into the transportation and land use objectives of Durham region and the GTA as a transitoriented community offering a quality of life which will serve as a model for other communities in Ontario.

#### DRUG ABUSE

Hon Mr Black: I would like to inform members that earlier today I announced that 35 groups will receive a total of \$1.6 million to undertake innovative community-based prevention and education programs to reduce the illegal use of drugs. These grants are the first phase of the \$3-million communities united against drugs grant program announced in November 1989 as part of the provincial anti-drug strategy.

I am particularly pleased to report that a grant of \$45,000 will go to the Multi-Faith Task Force on Substance Abuse. Part of that grant will be used to offset costs for a provincial conference next October. The conference, which will bring together members of some 29 different faith communities from across Ontario, will be designed to increase awareness of the substance abuse problem and to promote action at the community level.

The Multi-Faith Task Force on Substance Abuse formally announced its plans today to participate as partners in the government's attempts to reduce the illegal use of drugs in Ontario. The group is one of the 35 groups to receive funding under the first phase of the grant program.

The establishment of the Multi-Faith Task Force on Substance Abuse is the first of what we expect to be many examples of community groups mobilizing against drugs. The task force is to be commended for its initiative and effort.

I am pleased to say that today's announcement is only the beginning. Details of funding for the remaining groups will be made public over the next week.

Furthermore, the provincial anti-drug secretariat will continue this initiative with a second phase of funding under the communities united against drugs grant program. The deadline for new applications is 31 May 1990.. I urge all members of the House to help their communities to become active partners ir the struggle against the illegal use of drugs.

We intend to continue to foster partnerships with community groups such as the Multi-Faith Task Force on Substance Abuse. What these groups accomplish and what we learn from their initiatives can be of benefit to other communities and other jurisdictions.

Through strong community action and with the commitments from partners across this province, we are determined to reduce the incidence and impact of the illegal use of drugs in Ontario.

#### RESPONSES

#### SEATON COMMUNITY DEVELOPMENT

Mr Breaugh: I want to begin by congratulating the government. This is the nicest package of information announcing the new town of Seaton, or North Pickering, that I have ever seen, and that is considerable because in 20 years this project has been announced at least 12 times when I have been present. I guess it simply points out that if you let them write the same speech for 20 years, sooner or later they are going to do a good job on it.

I want to thank the minister because he was kind enough yesterday to come over and invite me personally to attend the announcement this morning. I did that. I was on Highway 401, and we were not going anywhere on Highway 401 this morning anyway, so I thought I might as well go up and hear what they had to say.

It was particularly convenient because there was a press package there that had the speech in it. I could read the speech and see the display and how it was set up. I did not have to stay for it all; I could leave. Since I have heard this announcement many times before, it was not necessary to stand around and cheer. But I did pick up some good ideas while I was there.

One of the problems that has always happened to this project—and the member for Durham-York and I, for example, have all our political lives dealt with this one proposal under a variety of names, but it is the same land in the same place—is that in 20 years two governments have never got anything started on this project.

I wish the government well. I hope the new co-ordinating group for Seaton does much better than the one the government just folded for the North Pickering project. They do not have a very high standard to hit, but I am sure they will be more successful at it than the previous group was.

I am pleased to note that there will be a bus going from the site down to the GO station. That is great because there will be a lot of room for that bus to move around. There are not a whole lot of buses on those roads out there and people will be very grateful for it.

#### 1400

I noticed there was a group there from Whitevale. It would not be an area in Durham region if it did not have a proposed dump site on it, and of course Seaton has one of its own. As a matter of fact, at this point in time the only thing we really know is likely to happen on that site is another Metro dump. Of ourse, people are organized for that in that area, and a regular querrilla movement has formed. They greeted the Premier as he same in. They know how to do a small, effective demonstration.

They had some really good suggestions. I heard one of hem suggest that the Minister of the Environment take his imousine out to the dump site and stay there and work with hem through all this process, so that if they are going to design totally new community, they have a total waste management ystem built in. That would be something that would be really lifty.

One would have to admit that there is the capacity in the fork-Durham sewer to handle Seaton and any other project you would care to have. The world's largest sewer pipe is there. While you cannot drive on the roads any more, certainly if you ould get at it, you could drive your cars and trucks up and lown the big blue pipe. It is there.

Members who have been around for a while will know that his was originally John White's hallucination. John White aparently had a vision while driving home on Highway 401 one ight. That was in the days when you could actually drive on Highway 401. You did not just park; you could actually go from the place to another.

The problem has always been, and I suspect will be again, of that there is a shortage of developers who want to build on his site. They are already lined up; they have all their plans lone. You do not really have to hire planners or consultants or jet development proposals. They have been looking at this site or 20 years and they are ready to go. The problem always has been when some dreamy-eyed person in the cabinet comes sumping up against a Treasurer who does not want to do anyhing. That has traditionally been the problem. "This is a really lice idea but nobody wants to pay for it."

It would be nice to have transportation links in here but hey are not there yet. They have not been there in 20 years. There is a roomful of plans for transportation corridors for this area; none of them has ever been constructed. That has been the lifficulty.

Here is another suggestion which I think might solve the problem of actually getting the decisions made. This Sunday afternoon in the SkyDome the World Wrestling Federation has big event under way. Those of us who take our vitamins every lay, who work out every day, who say our prayers every day, have a champion. The Hulkster will be there. If the Hulkster vins on Sunday afternoon, forget the cabinet meeting Wedneslay morning. Let's do this for a change.

All the plans are there. The only real problem has been political will and it has always been that the Minister of Housng—and there have been a variety of them—or the Minister of Municipal Affairs—and there have been a variety of them—always lost to the Treasurer. At least this time if we lose, we will get to see the battle. We will at least be entertained by it all and we have a chance of taking this concept and actually making it work. It is long overdue. The only problem is people will be able to flush the toilets but they may not be able to get there.

Mr Cousens: I am trying to smell it. I thought it was spring in the air but I think there is an election coming. You can smell it. I can sense it. Breathe deeply, Mr Speaker. You can do it as well. It is healthy. There is a real feeling.

We have the Rouge Valley in one week and we sniff again and suddenly the Minister of Housing and the Minister of Transportation have made another little excursion out of town. I even heard earlier that the Liberals have allowed their 94 members, including yourself, to go out and seek their nominations. So it is not just spring in the air. There is an election coming.

What we have today is one of those pre-election announcements. Look at the words, look at the presentation. Remember in September 1987 the Premier said, "I have a solution to reduce automobile insurance rates." He said that, and we are not getting it. So sniff this one carefully because what we are about to see in this announcement is not good news; it is not one of those promises that the people of Ontario can really be thrilled about. What we are seeing is the government coming forward with its great promises. What we are seeing now is every word carefully crafted, chosen to convey all the right messages of good environment, non-profit homes, starter homes and public transit. With all those nice words we agree. The people of Ontario will agree.

Interjections.

Mr Cousens: Three cheers for the window dressing. If we really want to get down to what is going on with these guys in this government, they are talking about the York-Durham sewer, now known by my friend the member for Oshawa as the big blue pipe. I thank him. We built it with the taxpayers' money because we made an investment in the future. When is this government going to build a big red pipe?

We have a community increasing 25,000 per cent from 350 to 90,000. We have a situation in which there is no infrastructure for schools, hospitals, services and roads. The Minister of Transportation made a big announcement today to do something about providing a bus route. Yippee. A bus route from your new home in Seaton down to Toronto. Come on, ladies and gentlemen. We have to make an investment in planning long before this, and I hope the people are not fooled by this government.

### DRUG ABUSE

Mr Runciman: It is pretty hard to follow that, but I do not want the part-time minister for drug abuse to feel neglected so I want to make a brief response to his statement in respect to funding for the Multi-Faith group. We are complimenting him and his colleagues for undertaking that initiative. At the same time, I want to reiterate our concern about this government's commitment, real commitment, to the fight against drugs in this province.

We have some real concerns about the fact that we do indeed have only a part-time minister in that capacity, someone who has very significant responsibilities and a major portfolio in the provincial government and who has also been assigned the task supposedly of co-ordinating and following through on the government's fight against illicit drug use in this province.

We are very concerned about that. We think that someone should have those responsibilities on a full-time basis. Once again, we are urging the minister and the government to take serious consideration of that particular kind of initiative which we feel would more responsibly address what is a growing concern in this province.

We want to congratulate the minister, but we find it something of a contradiction that in the same week he is making this announcement the Minister of Consumer and Commercial Relations is loosening the advertising requirements for the use of alcohol products in this province. There seems to be something of a contradiction there.

I know the Multi-Faith committee is going to be taking a look at alcohol abuse as well, so the government should get its act together in respect to those sorts of things. It should take a

serious look at alcohol abuse as well and seriously consider the role of a minister responsible for the drug problem in this province. It has to be a full-time job.

The Speaker: That completes the allotted time for ministerial statements and responses.

Mr R. F. Johnston: On a point of order, Mr Speaker: In ministerial statements, the Minister of Education has made three significant statements this week to the House. Yet the day before the general legislative grants are to be announced he does not bring them first to the Legislature and instead decides to announce them outside the House tomorrow.

The Speaker: Order.

### **ORAL QUESTIONS**

### TIME ALLOCATION

Mr B. Rae: I have a question for the government House leader. This House has been dealing with the insurance question in committee for the past two days, and the government has now decided to bring in a closure motion, not only with respect to debate in the committee of the whole House but also with respect to the final discussion of this bill in third reading.

This government has consistently fought efforts on the part of this party to open up the process and to try to give the citizens of this province a chance to defend their rights. Can the minister tell me what he is so afraid of that he is bringing in closure at a time when we are just beginning to debate the substance of this bill?

1410

Interjections.

The Speaker: Order. We will just wait if you want to waste the time.

Hon Mr Ward: The Leader of the Opposition knows full well that this matter has been before this House for quite some time indeed. He made reference to the fact that the government has put forward a notice of motion for a time allocation after two days. I would say to the Leader of the Opposition that it is after 28 days of consideration, over 107 hours of debate, a complete analysis and 442 submissions before a committee of this Legislature.

No one in this Legislature would deny the right of the opposition to put forward its case and to have ample opportunity to do so, but by the same token I believe that the people of this province fully understand that important questions must be decided in this House from time to time, and sometimes actions such as this are necessary to have important questions decided.

Mr B. Rae: This bill affects fundamentally the civil rights of every citizen of this province. This government is doing to the drivers of this province, in terms of the threshold, in terms of the substance of this bill, what has been done in no other province. I want to ask the minister, how can he justify after two days of discussion on the House returning this past month—hearings to which the public is invited are very different from discussions that take place among members of this House; there have been discussions now for two days in committee of the whole. Let the minister tell me what other time the government has brought in closure after two days' discussion in committee of the whole on a bill as important as this one.

**Hon Mr Ward:** Once again I will enunciate for the Leader of the Opposition the process that has been undertaken since the introduction of this bill. Bill 68 was introduced on 23 October

1989. During the course of the debate at second reading, ap proval in principle, some 26 members of this Legislature spok to the issue over five days of debate and the bill was approve in principle and referred to committee.

The bill had ample clause-by-clause examination during th standing committee stage. I would also point out that it is inter esting that after two days of debate in committee of the whol there has not been one single amendment put forward by eithe opposition party. It is clear that their intent is only to avoid dealing with the issue and rendering a decision on this important matter.

Mr B. Rae: This government has taken its marching order from the insurance industry of Ontario. That is where it is get ting its marching orders. The people of Ontario are being denied the right and the members of this Legislature are being denied the right to debate this issue and to show just how far this government has gone in caving in to the demands of the insurance industry in Ontario. That is what this represents. This government is bringing in the guillotine earlier in a debate of larger substance than any government in the history of the province. That is what this government is doing. It is going to pay a price for it.

Hon Mr Ward: There were 28 days of discussion, 107 hours of debate, ample discussion, over 442 submissions. The people of this province also have a right that important questions be decided. That is our obligation and we will fulfil that.

Mr B. Rae: I want to go back to the same minister on the same question. Can he tell me, at what other time in our history has the government brought in closure on a bill of this importance at this stage to restrict debate in the way in which this government has done it today? We had five days of discussion at second reading. We then had a closure motion from him, a time allocation motion on how the committee would work. M Justice Barr, a retired judge of the Supreme Court of Ontario had 15 minutes before the committee in which to make a fundamental assertion about the mistakes and the flaws in this bill What is he so afraid of when it comes to the question of civi rights in Ontario?

Hon Mr Ward: As I indicated in response to the previous questions, this bill has had ample discussion and debate. I would quote to the Leader of the Opposition some of the comments made by his own members yesterday—for instance, the member for Etobicoke-Rexdale who suggested that the hearing process was extensive, the member for Algoma who stood ir his place and indicated that it was their intention to ensure—

Interjections.

The Speaker: Order.

Mr B. Rae: There is a fundamental question here about the rights of opposition members and about the rights of the public The government has attempted to restrict the rights of the public to hearings. It has restricted the access of the public. It has restricted the rights of disabled people and their advocates to appear in terms of time and in terms of the arguments they were allowed to make, because of time restrictions. Now the minister is doing the same thing to members of the opposition because his 94-member red-tie chorus thinks that is the way it can proceed, without any rights given to the opposition members.

On the question of doctors' extra-billing, this government was prepared to let it go for ever. On the question of equafunding for separate schools, this government was prepared to let everybody have his say. When it comes to an issue on which hey know they are fundamentally wrong and fundamentally impopular because they are taking rights away from every sitizen of this province, the minister brings in closure and the suillotine. Why is he doing it?

Hon Mr Ward: Unfortunately this is not the first time a ime allocation motion has been brought into the House and I loubt very much it will be the last time. I cannot accept the notion that over 400 submissions on an important piece of egislation is a restriction of the rights of either individuals within this province or the members of the opposition. I believe hat members of the government and the government itself have a fundamental obligation to ensure that after significant debate, undamentally important questions be decided in here. I would also say to the Leader of the Opposition that this is not the first time a time allocation motion has been brought in in committee of the whole. As a matter of fact on 18 July, I believe, a time illocation motion was put before this House and adopted after one day of the committee of the whole.

Mr B. Rae: The reality is that this government believes it as the right to do whatever the hell it wants to do, regardless of he views of the public and regardless of the views of those of is who oppose. They are not even prepared to give us the time. want to ask the minister, why are the opinions of the insurance ndustry, the schedule of the insurance industry, the money lemands of the insurance industry and the financial demands of he insurance industry more important to him than the opinion of the public of Ontario?

Hon Mr Ward: I would just remind the Leader of the Opposition that after all of this debate, all of this discussion—some 107 hours—after two full days of committee of the whole House—not one single opposition amendment was presented and tabled in the committee of the whole. We began a process of clause-by-clause consideration so that we could put before his House some 30 amendments that were derived from—

Interjections.

The Speaker: Order. Are you finished? New question.

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1420

Mr Runciman: On the same subject to the same minister, he legislation, the bill that is being brought in today, in our view, and I am sure in the view of the other opposition party, is he most notable display of political arrogance since Pierre Trudeau described opposition members as nobodies outside the House of Commons. This government is trying to send the nessage that opposition members are nobodies inside this Legislature.

I think the minister has been talking about the committee process. I sat through that process. I know how committed the government and the government members on that committee were to truly listening to witnesses before us. There was no commitment, no listening to those witnesses. There was some of the most moving testimony I have heard in nine years as a member, and no real concern on the part of government members. They are dancing to the tune of the insurance industry.

I would like to know from the minister today, was this matter of closure discussed with representatives of the insurance industry? Was there a commitment made on the part of this government to invoke closure to ensure passage by a certain time?

Hon Mr Ward: The member has made reference once again to the process that was undertaken before the standing

committee of this Legislature during the recent recess. It is true that there were extensive public hearings held throughout this province. It is unfortunate the member could not be present for all of those, though I know he did make a contribution to much of the debate. I would point out that as a result of that input and the submissions received, the government has proposed a number of amendments to its legislation, important legislation that ensures that the victims of accidents get benefits paid to them quickly and effectively.

I would say to the honourable member that he has had ample opportunity to put forward his concerns, to put forward his concrete suggestions for alternatives, and to date, as this House sits in consideration of this matter before the committee of the whole House, there is not one single amendment available from either opposition party to consider during the course of the clause-by-clause discussion.

Interjections.

The Speaker: Order. It would be helpful if members would allow other members to ask questions.

Interjections.

**The Speaker:** Order. We will just wait if they want to waste the time.

Mr Runciman: It is hopeless dealing with this arrogant overreaction on the part of the government. The minister suggests that I was not present for all the public hearings. I want to tell him I was present for all of the public hearings, unlike his Minister of Financial Institutions who showed up the first day and then disappeared and would not be there for the public hearings, would not show his face, would not answer the questions or hear the concerns of the overwhelming number of witnesses who appeared before that committee.

I want to say there was an agenda from the outset. The insurance industry was in on this deal. They knew the changes the minister proposed after the committee hearings.

The Speaker: And the question?

**Mr Runciman:** The whole thing was a ruse. There was no real intent to listen to the public.

The Speaker: And the question?

**Mr Runciman:** What we have here is one of the biggest giveaways to large corporations in the history of this country, an over \$800-million windfall to the insurance industry.

The Speaker: And the question?

**Mr Runciman:** I want to hear a little more justification on the part of this minister as to why he is shutting out the elected representatives of this province from dealing with this very serious matter.

Hon Mr Ward: Four days of clause-by-clause consideration within the committee itself, and after two days of committee of the whole clause-by-clause consideration no progress being made whatsoever. No one denies the right of the opposition to put forward its objections, its concerns or its alternatives, but I believe this government is obliged to ensure that important matters that are before this House are ultimately decided and that is what we propose to do with the motion before the House today.

Mr Runciman: The minister is not describing the facts. This party has over 30 amendments to propose during the clause-by-clause consideration. He talks about the committee

hearings. I want to tell him that we had 39 actuarial studies indicating the impact of this legislation tabled on the last day of public hearings so that witnesses appearing before us could not testify on the impact. We had rate filings by the industry indicating the true impact of rates that were given to the government. The minister had them in his hands during the committee hearing process and he refused to make them available to the committee.

I want to talk about a legal opinion on the constitutionality of this legislation—

The Speaker: And the question?

Mr Runciman: —a very serious issue indeed which could impact on all the taxpayers of this province. He says, "We've got legal opinions that say it is constitutional," but he is not prepared to make them available.

**The Speaker:** Order. Do you have a question? **Mr Runciman:** My question to the minister—

The Speaker: Make it fast.

Mr Runciman: Let's lay the facts on the table. Let's give the people of this province the opportunity to really understand the impact, the effect this legislation is going to have on all of us.

Hon Mr Ward: This legislation was introduced on 23 October 1989. The people of this province have had ample opportunity to consider the provisions contained in this legislation. This Legislature has had ample opportunity to debate the issues that are before it. The legislation we are dealing with is important legislation to the vast majority of Ontario's citizens who also happen to be automobile owners. The legislation provides for an appropriate mechanism to ensure that the victims of automobile accidents are adequately and quickly compensated. The legislation makes provision to ensure that exorbitant rate increases do not take place in this province.

This issue has been before this House in one form or another now virtually since September 1987. It is time this question was decided.

### AUTOMOBILE INSURANCE

Mr Sterling: I have a question of the Premier on this insurance issue, since he is really the architect of this no-fault plan. One of the great problems many people in the province are having is with the equity, in relation to the automobile insurance plan, with other social net programs that the government has. If a person falls sick for no apparent reason, he receives from the government, through the Minister of Community and Social Services, probably somewhere between \$700 and \$1,000 a month depending on the number of dependants he might have.

Under Bill 68, the government says you must have insurance. It sets the rate, sets the profit for the insurance company and sets—

Hon Mr Elston: It doesn't set the rate.

Mr Sterling: It sets the range of rates and it sets the benefits.

The Speaker: And the question?

Mr Sterling: If a person is at fault and has in fact been convicted of careless driving and is injured as the result of an accident, he or she is entitled to somewhere between \$2,500 and \$3,000 a month.

Hon Mr Peterson: I think the honourable minister can ex plain to the honourable member why he is wrong in so man respects in his question.

1430

Hon Mr Elston: If I might, just to address several of th issues about which the member has some misconceptions, first of all, we do not set the rates. Under the current plan, as the member knows, there is a capped rate under Bill 10, as it was then known, of a 7.6 per cent increase over what was charged the year before. That went to the Ontario Automobile Insurance Board and there were things done then to make sure that the increase was only 7.6 per cent. Where there were variations, o course, in coverage and other things, then there were changes.

Under the new program, there will be a prior rate approva in the sense that the commissioner will have to have filed with him the new rates that are being proposed for use. Those will have to be, on the basis of the bill, fair and equitable rates and there are provisions for hearings where there are disagreement as to how those rates are brought forward by the companies.

The member will also know that we do not set the benefil level. With respect to this insurance, as is the case in any othe insurance policy which people are purchasing, they will look a their own personal circumstances to purchase what they need to provide for their coverage. Under the auspices of this bill, then is no question that there is what I guess could be called a compolicy, which provides repayment of lost wages of up to \$600 weekly tax-free; there are long-term care benefits of up to \$3,000 per month to a limit of \$500,000, and there are payments of up to \$1,500 with respect to supplementary medicals and otherwise.

Mr Sterling: The minister has said they are not setting the rates and then he tells me how the auto insurance board sets the rate. His press announcement has noted that the no-faul benefits are up to \$600 a week, which I equate out to some where between \$2,500 and \$3,000 a month.

Under the Criminal Injuries Compensation Board, if some one walks into a store and injures somebody in the commissior of a criminal offence, Ontario legislation gives a maximum of \$1,000 per month to the victim. Why is the minister giving the person who caused the accident up to \$2,000 a month more-

The Speaker: Order. The question has been asked.

Hon Mr Elston: The honourable gentleman will know that the no-fault benefits are based on a reimbursement of the loss wages of the people who are involved in the accident. We made a decision that people who are involved in accidents get involved in accidents for many reasons, but sometimes it is just a matter of inattention. If somebody should reach to assist a child who has difficulty and, for that moment of inattention, they are then involved in an accident which causes them loss, we think they should have a repayment of their lost wages in that situation

We also know there are situations where there are drunk drivers and people who are committing criminal offences in which there is a sense that there should be a loss of benefits coming back, and we have made provision for those people who have violated the criminal statute for them not to receive their weekly payments back.

However, we made a further decision, and this is well within the ambit of policy decision with respect to how things are done in the province of Ontario. We decided that anybody and everybody in this province who has an accident and suffers physical injury must have supplementary medical and

ehabilitative services available which are paid for them to get hem back into the workplace. If they are not able to be ehabilitated and they require long-term care, they have to have hose resources whether they are at fault or not. We made those decisions and we stand by them.

Mr Sterling: Since the minister has stated in this Legislaure that he is supporting his House leader with regard to the closure of this debate, has he read each and every brief of every lelegation that appeared in front of the standing committee on general government and has he responded to the questions that Ralph Nader put in front of the committee?

Hon Mr Elston: I took note of each of the briefs presented. I have had material briefings on each of them, either by the parliamentary assistant, who was at each of the meetings, or by people from my staff and from the staff of the Ministry of Financial Institutions, who have advised me of each of the people who presented. I have gone through parts of all of them; have not read every word of every brief, but I have gone hrough the briefs, I have received them, and I know the content of them.

In addition to that, I have read the advertisement which the Progressive Conservative Party put in the Financial Post yesterlay, which is made up of a series of questions which lead to nference of inaccurate information being left with the people of he province—this from a party that prides itself in being fiscally responsible at a time when it is about \$4.5 million in debt.

Interjections.

**Mr Philip:** The Conservatives' ad doesn't tell the kinds of ies that your ad told.

**The Speaker:** Order. I hope the member for Etobicoke-Rexdale is careful.

### MINIMUM WAGE

Mr B. Rae: I have a question of the Minister of Labour. I vant to ask the minister about the pathetic state of Ontario's ninimum wage and refer him to an ad from the Ontario government which appeared in Business Week encouraging American susinesses to come here, not only singing the praises of the free rade agreement, which is certainly a conversion, but saying, 'You'll like our wage rates," and pointing out that Ontario's average hourly compensation in manufacturing is lower than Michigan, Ohio, Illinois, New York and Massachusetts. This is a reason for businesses to come here: they can pay people seanuts.

How does the minister justify the incredible loss in purchasing power of the minimum wage since the mid 1970s, and in particular how does he explain the simple fact that a minimum-wage earner in Ontario today earns less than it costs to rent an iverage two-bedroom apartment in Metropolitan Toronto?

Hon Mr Phillips: I think I had a similar question yesterlay and I pointed out that the minimum wage here in Ontario is he highest of any jurisdiction in Canada, far higher than any urisdiction in the neighbouring states. I also would like to point out that we as a government are committed to ensuring that beople are treated fairly and equitably.

I will give an example of that. We introduced the pay equity egislation, which by all accounts is the most progressive legisation around pay equity anywhere in the world. The provincial government alone committed about \$80 million to ensuring that we implemented our Pay Equity Act fairly and equitably.

Therefore, I do not think we need to make any apologies about fairness and equity. I said the other day as well that we review our minimum wage each year and we will be doing that again shortly.

**Mr B. Rae:** Under the minimum wage, the minimum wage is a kind of pay equity plan because it gives an equal right to men and women to starve. That is what the minimum wage does with respect to pay equity.

The way in which it has been done is that the minimum wage is increased from time to time like a kind of Christmas present from a beneficent 19th-century Lady Bountiful. When is the minister finally going to establish a connection between the minimum wage and the average industrial wage in a way that is fair and finally establish a minimum wage that is just in the province of Ontario?

Hon Mr Phillips: As I said, we review it each year and we take many factors into consideration, including that, but also including such factors as what impact might it have on jobs, what impact might it have on some industries, such as our tourism industry, how would it compare to tourism industries in neighbouring jurisdictions? We consider many factors as we establish our minimum wage each year.

I would say once again that the minimum wage in Ontario is the highest of any jurisdiction in Canada, substantially higher than the neighbouring states in the US, and one which we must review each year in light of what is necessary in terms of ensuring that we create jobs, that we have stable and vibrant industries and that we reflect the needs of all of the citizens.

Once again, we review it each year. We are the highest of any jurisdiction. It will once again be reviewed in the near term.

1440

### ONTARIO HYDRO LABOUR DISPUTE

**Mr Brandt:** My question is for the Minister of Energy. I want to speak about the Ontario Hydro question for a moment, if I might.

The minister is aware that the recent strike vote taken by CUPE 1000 would indicate that a strike is imminent. Ontario Hydro has been warning that brownouts and blackouts will occur if a strike does take place, and that certain important and vital services in Ontario will be affected by such brownouts: hospitals, schools, industries, perhaps others as well.

Does the minister agree with the position that has been announced publicly by Ontario Hydro, that such blackouts are in fact inevitable and will occur if a strike takes place? Does the minister agree with that statement?

Hon Mrs McLeod: I would want to respond to the honourable member, but I do want to preface my comments by recognizing that even as I respond to his question, discussions between both parties are continuing. I do not think we should assume the inevitability of a work stoppage.

The union did indicate yesterday that if in fact there was not a resolution of the issue at the bargaining table and if there were to be a strike, it would be a full work stoppage. If that in fact did occur, we believe there would be very serious and immediate impacts for residential, business and industrial customers. We have been working with Hydro management. We have also been in contact with representatives of local utilities to try to assess the magnitude of that impact.

There would be a significant loss of power that could not be fully replaced with purchases. There would undoubtedly be some rotating blackouts, although we are assured that everything would be done to maintain power to all designated essential services.

**Mr Brandt:** Local 1000 has indicated in some of its press announcements that in fact the amount of power lost as a result of the shutdown of the nuclear system could be offset by a relatively small purchase of power from some of our neighbouring sources.

They have indicated from their position that it is in fact not inevitable, if there is a work stoppage, that brownouts or black-outs will occur, but that Ontario Hydro will be in a position to purchase the needed additional power from some other sources.

We have two of the parties to this dispute sending out signals which are contradictory. I am not suggesting that a strike is necessarily inevitable, but I think the government does have to place itself in a position where it has some contingency available.

Can the minister assure the House, and through this House the people of Ontario, that we will not suffer from power disruptions which will cause brownouts or blackouts?

Hon Mrs McLeod: I would certainly assure the House and the Ontario public that in the Ministry of Energy, and in fact in all effective ministries of the government, we will be monitoring this situation on a constant basis and assessing exactly what the impact of any potential work stoppage would be so that in fact that impact could be managed. Obviously, we are very dependent upon Ontario Hydro's assessment of how the power needs could best be met.

It is our best analysis, as a Ministry of Energy, even with full purchase of power, that in all likelihood we would not be able to meet the current full power demand of the province of Ontario and we would have to manage that shortage of power. But everything possible would be done in order to ensure that we were managing that in a way which was responsible, and that everything was being done to ensure that essential services were met.

I want to come back to the fact that there is still discussion going on, I believe that whatever the disagreements between the two sides about the magnitude of the impact of a work stoppage, both sides in the dispute recognize that it would have a serious impact and that the focus would be on resolution of the issues so that that would not occur.

### **EMPLOYMENT EQUITY**

Mr Velshi: My question is for the Minister without Portfolio responsible for women's issues. It has been recognized that Ontario's labour force is rapidly changing. By the year 2010, it is projected that 85 per cent of those entering the paid labour force will be women, racial minorities, people with disabilities and aboriginal people.

For Ontario to remain competitive, we must fully use all our human resources and promote employment equity in all sectors. My views on employment equity are well known. I believe the only solution to the present discrimination in the workplace is mandatory employment equity. My view is quite opposite to that taken by John Downing of the Toronto Sun and other neanderthals who believe that maintaining the status quo is movement enough in this area.

What initiative has this government undertaken to promote employment equity?

Hon Mrs Wilson: The government of Ontario firmly believes that employment equity is about building a society in which every person participates, but it is also about building and maintaining a prosperous economy. The government has

announced equity goals and timetables for our own public service, and we have announced a fund which ministries can use to effectively bring into effect programs within their ministries to develop employment equity programs.

My ministry, the Ontario women's directorate, has taken: lead in working with the public and private sectors in assisting them to promote employment equity programs. More than 100 groups from all sectors across the province took part in consult ations on employment equity policy options for the province Those consultations were chaired by the Minister of Citizen ship.

Mr Velshi: For the Ontario public service you speak o goals and timetables and incentive funds. Yet for the private sector and for the broader public sector you speak not of goals and timetables but of policy options, voluntary initiatives and discussions. I would like to know how successful voluntary initiatives are, and how does the government recognize success ful voluntary employment equity initiatives of employers unions, associations and other community groups?

Hon Mrs Wilson: The Ontario government established an employment equity awards program to recognize significan achievements in employment equity on the part of employer and unions and community groups. We have been honouring those employment equity programs for women, but this yea our award program was different. We brought in the expansion of employment equity programs for aboriginal peoples, for racial minorities, for people with disabilities, in addition to those programs for women. The awards program provides example of positive benefits of employment equity so that those businesses, employers, unions, community groups can act as role models to other employers in the community.

The winners were announced last night. They were: Superior Performance Products, the Coalition of Visible Minority Women, Ryerson Polytechnical Institute and the Ryerson Faculty Association, the Social Planning Council of Metropolital Toronto, the Urban Alliance on Race Relations, the Ontario Federation of Labour, IBM Canada and the Anigawncigig In stitute for Native Training, Research and Development.

### PRESTON SPRINGS GARDENS RETIREMENT HOME

Mr D. S. Cooke: I have a question to the Minister of Health. I am sure the Minister of Health is aware of the very sar and unacceptable situation at Preston Springs Gardens Retire ment Home in Cambridge, where for the last 10 days the staf of the facility have been bringing in food to feed the 30 resi dents and they have had to pay for the fuel in order to heat th home, as the owners have abandoned the rest home and jus yesterday it went into receivership.

What is her ministry or the government doing to protecthese 30 residents and plan future appropriate placements fo them as quickly as possible?

Hon Mrs Caplan: I would like to refer the question to th Minister without Portfolio responsible for senior citizens' at fairs.

Hon Mr Morin: I am appalled to hear that seniors may have been left with inadequate food and heat for a period of 1 days and that none of the appropriate local officials was notified.

Let me tell members what I did. As soon as I found our about this situation, my staff immediately, this morning, contacted local officials, including the placement co-ordination service and the medical officer of health, and put all appropriate

beople in touch with one another.

I want to assure you that every resident of Preston Springs Gardens Retirement Home will be properly cared for and will have food and heat. Representatives of the receiver, Touche Ross, met with the administrator of the home today to discuss he future of the home. I have been advised that the receiver plans to keep the home open.

1450

Mr D. S. Cooke: I am certainly glad to hear that the minister and the government have become aware of the situation

after 10 days of this going on.

Perhaps what the minister could respond to is the other juestion the people in Cambridge are asking themselves today. The Liberal government of Ontario said five years ago that the whole issue of retirement homes and rest homes for seniors was soing to be studied and that proposals for a legislative response would be coming forward. That was five years ago. Now we have this problem going on. We have no standards, no staff equirements, nothing to protect these people. It is not anyone alse's fault for this situation, other than the minister's and his government's. When is he going to act to protect these people?

Hon Mr Morin: Even if there had been provincial regulaions, this incident would not have been prevented. I know this for a fact. I am concerned with the wellbeing of all senior citizens, all across Ontario, of any place. This is a very complex ssue without an obvious solution. There is not even a definition of what a rest and retirement home is all about. Municipalities can license and regulate rest and retirement homes, and a number of municipalities do so.

However, I am deeply concerned about the quality of care being provided and I am looking into the lack of standards in his area. My advisory committee submitted a report with all kinds of recommendations. There is not even a consensus. My role as the minister responsible for senior citizens' affairs is to act as a facilitator. I have the co-operation now of the Ministry of Health, the Ministry of Community and Social Services, the Ministry of Housing, the Office for Disabled Persons and my

ninistry.

The Speaker: Thank you.

Hon Mr Morin: We are looking into the issue. We are concerned and I hope to be able to find a solution in the near future.

### **AUTOMOBILE INSURANCE**

Mrs Marland: My question is to the Premier. I held a public information forum in my riding on Bill 68, so the public might know what his automobile insurance bill was about. I invited a member from his minister's staff to attend, and his minister refused to send anybody. My question is to the Premier. Based on the fact that at that forum Spurge Near, who is the president of the Insurance Brokers Association of Ontario, announced the change in the weekly benefits from \$450 a week to \$600 a week before his government publicly made that announcement, can the Premier explain to us why the Insurance Brokers Association of Ontario knew that and made the announcement publicly before anybody else knew about it?

Hon Mr Peterson: I think the minister has already explained that.

The Speaker: It has been referred to the Minister of Financial Institutions.

Hon Mr Elston: We in fact knew about the public forum. We knew that she was holding this public forum, but she did not wish to have any politicians from the Liberal Party visiting her that evening. We had made available people to visit, but she would not allow us to attend. The fact that she would stand there and indicate that we would not send a speaker out to attend one of her public forums which was a political public forum is something that I have to disagree with.

With respect to Mr Near, he happens to be the leader of a provincial association. He was there because we had had chats with people about various options, and he expressed his opinion. That is what happens in these events if you are going to talk to people around the province, and we talk to a lot of people every day about various options that are available. It is up to him to make whatever assumptions he may want, but until things are announced those are not official government policies.

Mrs Marland: Mr Speaker, I have a problem. I do not know how to tell you that what the minister has just said is not true

**Hon Mr Elston:** You wouldn't accept a Liberal, would you?

Mrs Marland: I personally made 15 telephone calls to the deputy minister. I was not offered a Liberal member of the provincial Parliament to speak for that ministry. How is it that he does not have bureaucrats who can explain his legislation, in any case?

The minister chooses to ignore the public; he chooses to have the president of the Insurance Brokers Association of Ontario make that announcement before anybody else. The minister has said in this House this afternoon that he did not receive any amendments from the opposition. The government has presented 32 amendments to this legislation. My question to him is this: Why is it that in none of those 32 amendments has it addressed a single concern of the disabled community of this province?

Hon Mr Elston: That is a totally different question than we started off with, but let us be very clear about this person's desire to have a spokesperson on this policy at her "public forum." She did not wish to have a politician from the Liberal Party attend because she did not want it to be "political." She made this a political forum. She knew it was a political forum and called the bureaucrats so that she could get a bureaucrat on the hook to answer political questions.

We said, "Why don't you ask somebody who is political to go to your political forum?" That is the case in this thing, but she does not want competition out there. She is opposed to somebody who can politically go toe to toe with her on the deficiencies of her understanding about the politics of this. But that is her purpose. She should not blame us about the fact that she does not want Liberals at her public forums.

With respect to our amendments, our amendments are designed to provide the best coverage that this program can to people, whether they are disabled by auto accident or otherwise. We want timely and very good compensation to go to people who are victims of auto accidents. And the auto insurance program and the amendments that are put forward here are designed to improve the program after—

The Speaker: I think it is time for another question.

Interjection.

The Speaker: Order. Time for a new question.

### HOUSING ON GOVERNMENT LAND

**Mr** Adams: My question is for the Minister of Government Services. The people of Peterborough were delighted that the minister could visit our community to announce the servicing of the government lands which have been released for housing. My question is simply this: When does the minister expect that these affordable homes will come on stream?

Hon Mr Ward: In September 1988, the Ministry of Government Services and the Ministry of Housing signed an agreement with the city of Peterborough, in co-operation with the federal ministry of Housing, for the development of residential lands to increase the supply of affordable housing in Peterborough.

Interjections.

The Speaker: Order. I am sorry to interrupt the minister, but I would like to remind the member for Mississauga South and the Minister of Financial Institutions that we do have a standing order, 20(b), that no member shall interrupt while another member is speaking. Do you understand that?

Mrs Marland: I do.

The Speaker: You do? Good.

Hon Mr Ward: As I was saying, my ministry has been working closely with the Ministry of Housing, the city of Peterborough and the federal government. In February I was pleased to join the member for Peterborough for an announcement of the servicing of a major new residential subdivision. A proposal call had gone out. The contract was awarded to a local firm in Peterborough. We hope to issue the tender for the construction of this servicing agreement either this summer or fall, and from there we will no doubt proceed with the call for the construction of the homes.

Mr Adams: I appreciate the minister's interest in affordable housing. The 326 affordable units that are involved occupy only 30 acres of the 170 acres in the land assembly. Are there any plans for the remaining government lands in Peterborough, and if so, does the minister have a timetable for them?

Hon Mr Ward: The project that has been announced covers some 30 acres of a total of 170 acres. Phase 2 of the development is planned for the land south of this 30-acre parcel. I am happy to say that my ministry has submitted a draft plan for approval of phase 2 to the Ministry of Municipal Affairs, and this proposal is out for comment. It envisions 503 single and semidetached units, a church block and one block for medium residential development. Officials of my ministry will continue to work with the city of Peterborough, with the federal ministry and with the provincial Ministry of Housing on these very significant proposals, which are just one part of our ongoing commitment to affordable housing in this province.

1500

### LOTTERY TICKETS

Mr Kormos: A question to the Minister of Tourism and Recreation: Susan Berg is a small business person in Welland who has been running her bookstore for some 21 years now, raising her three children and supporting herself with a lot of hard work.

For about as long as they have been in existence, she has been a retailer of Ontario lottery tickets, catering to the people in the neighbourhood, many senior citizens who do not have

cars and rely upon her as the retailer of those same tickets. After those many years—and she is a pioneer in the ticket distribution and retailing system—she, along with five others in Wellam including Bartok Jewellers just up the road one block on Kin Street, have been told by the distributor in Niagara that they are not going to get any more lottery tickets, that they will not be delivered to them any more.

Surely the minister could tell us that he does not think the is a fair approach to these retailers who have pioneered in the lottery distribution system.

**Hon Mr Black:** I appreciate the interest of the member for Welland-Thorold and the people who live and work in his community.

As a result of an inquiry made by him, I have had the opportunity to review the case he brings to the floor today, want him to know that the people who distribute lottery ticket are independent businessmen, and as such they are interested in profit-and-loss and the bottom-line portion of the financial statement. That means that sometimes they do have to review their operations and look very carefully at calls they might make that are not, in a sense, cost-effective.

The Ontario Lottery Corp has established guidelines for it distributors. They include suggestions that they service retailer who have low sales once every couple of weeks or that the attempt to service them by mail. I know the distributor in the particular area has looked at other options, but unfortunately the retailer whom the member identifies has particularly low sale and we are not sure that outlet has the potential for growth.

Mr Kormos: It is sad to hear that, because once again the minister should be reminded that these people pioneered the lottery system. Lottery proceeds, as we know, are very important to small communities across Ontario. These retailers are more than pleased to have ticket deliveries biweekly; that is to say, every other week. They are more than pleased to do any thing they can to co-operate in the distribution.

Surely the minister knows that a distributorship involve taking the fat with the lean, that you cannot have your cake an eat it too under these circumstances. Why will the minister no insist that his distributor play fair with those small busines people who have worked so hard as part of the lottery system or is he really not that concerned about small businesspersons be it in Welland or elsewhere?

Hon Mr Black: I want to assure the member for Welland Thorold that I am indeed concerned about small businessmen. am so concerned that I want them to be able to stay in business I feel people who are in the business of distributing lotter tickets have the right to survival, just as any other smal businessman does.

I can recognize that the member for Welland-Thorold manot be that concerned about independent businessmen. Hi background in the legal profession may be such that he has not had to be concerned about those issues. But we have to provid opportunities for small businessmen to make a living and to survive, and that is what the distributors of Ontario Lotter Corp tickets are trying to do.

### **AUTOMOBILE INSURANCE**

Mrs Cunningham: My question is for the Minister of Financial Institutions. Bill 68 does in fact now define two kinds of claimants in Ontario today. First are those injured by reason of the use of an automobile and the others are all other victims suffering from any personal injury. I will give an example: Personal injuries, those injured in cars because the roads are the

oblem, can sue. Those injured in airlines, trains, fires, those jured by way of negligence can sue.

We have a tort law that protects all of those incidents across e province of Ontario today. We now do not have a tort law r people who are the injured victims in car accidents. Why did e minister move in this direction to exclude that particular oup of people?

Hon Mr Elston: Again, I know that the honourable memr would not want to leave the idea that there is no tort action volved in the province after Bill 68 becomes law because early there is a threshold which, once passed, will allow tort tion to occur. In fact, there will be suits in Ontario with spect to those people injured as a result of auto accidents. The ly difference now will be that there will be a substantial mber of people who will not have to sue because they will be tting enhanced no-fault benefits.

As members know, we have increased the weekly wage imbursement to \$600 per week, tax free; we have increased the supplementary medical and rehab monthly payments; we we increased the long-term care to \$3,000 per month. Those right are different because in other situations like those the rember enumerated there are not no-fault benefits available to tople and there is not a way to receive compensation for medical expenses and for lost wages outside the tort action. We hade moves a long time ago in various places to deal in a more ricient manner of reimbursing—

The Speaker: Thank you. Just leave a little in case there is supplementary.

Mrs Cunningham: Our tort law does protect all of the tions that I described before. In fact, what we now have is the had of tort law that is extremely disparate towards victims of a accidents. I will be very specific. We had a young, head-injed boy come before the committee, and he told us what his ancerns were. He was offered some \$40,000 in a settlement by insurance company. He did have to go to court. His great ancern was that, under the new law with a very low threshold, will not be able to sue. What can we tell those victims with ad injuries with regard to this law? How do you prove that the under the physically permanently disabled when you cannot do it the pictures?

Hon Mr Elston: The member is correct that in our current of t system there is a burden of proof in several ways. One is at you have actually suffered damage and loss. That is a trile issue. Some people lose on that score. There is the issue of bility and people lose on that score, whether they have a ain injury or whether they have any other kind of injury. Here are all kinds of issues that preclude people from recovering under our system of tort law now.

What we have done is increase the no-fault benefits to enter that more people receive benefits quicker and without control for establishing liability and otherwise. I would have to tell the honourable member that our system is more humane and all provide us with a better way of providing money for people the are injured as a result of accidents in Ontario.

### DIRECT FLIGHTS

Mr Daigeler: My question is to the Minister of Transportaon. Business people in Ottawa-Carleton are asking for better r links to the United States right now. The economic growth our area is hampered because there are no direct flights from ttawa to the US Midwest, especially Chicago. I realize that e federal Minister of Transport has to decide whether he will allow a Canadian or an American airline to serve Ottawa, but I am wondering whether the province is willing to support the business community in Ottawa-Carleton in its dealings with Doug Lewis. I would like to ask the minister, therefore, whether he knows of this concern which is very important for the economic future of our area and whether he is willing to assist us in this regard.

Hon Mr Wrye: I thank the honourable member for raising this issue with me and bringing this to my attention. I do note that there have been increasing amounts of discussion of this issue and I am sure a number of people in Ottawa-Carleton have been speaking to him. Clearly we have a problem in that Ottawa-Carleton is the last major centre in Canada without direct air links to the United States. Indeed, there are other communities within Ontario and elsewhere which have some now and would like additional air links. This is a very important issue in terms of the economic relationship between communities such as Ottawa-Carleton, Chicago and others.

When I meet with Mr Lewis next month, while it is an area of federal jurisdiction, I can give the honourable member and his community a commitment that it is an area I will raise. We had our last agreement back in 1974. The discussions have not moved forward as quickly as Ottawa-Carleton would like and needs, and I hope that in my discussions with Mr Lewis I can offer encouragement to move forward on this issue just as quickly as possible.

### 1510

**The Speaker:** That completes the allotted time for oral questions and responses.

### **MOTIONS**

### PRIVATE MEMBERS' PUBLIC BUSINESS

Mr Ward moved that, notwithstanding standing order 94(h), the requirement for notice be waived with respect to ballot item 42; and that the order of precedence for private members' business be amended by adding the name of Ms Oddie Munro after ballot item 56.

Motion agreed to.

### **HOUSE SITTINGS**

Mr Ward moved that, notwithstanding any standing order, the House shall not meet on Thursday 10 May 1990 and Thursday 21 June 1990.

Motion agreed to.

### **COMMITTEE SITTINGS**

Mr Ward moved that the select committee on constitutional and intergovernmental affairs be authorized to meet on Wednesday mornings from 18 April to 16 May 1990.

Motion agreed to.

Mr Ward moved that the select committee on education be authorized to meet on one day during the week of 15 April 1990, subject to the agreement of the chief whips of the three recognized parties in the House.

Motion agreed to.

Mr Ward moved that the select committee on energy be authorized to meet on the evening of Tuesday 3 April 1990.

Motion agreed to.

### MEMBER'S ANNIVERSARY

Mr Runciman: On a point of privilege, Mr Speaker: The House is not sitting this Saturday, 31 March 1990. It represents a significant date in Ontario political history. It is the second anniversary of the election of the member for London North in a by-election, and I simply want to indicate the significant contribution she has made to this Legislature and the people of Ontario in the two years she has represented the people of that area

The Speaker: I listened carefully to that point of privilege, and I do not think there was any contempt of the House.

Does the Minister of Health have a point of personal explanation?

### **AMBULANCE SERVICES**

Hon Mrs Caplan: I would like to rise to correct the record. During the answer to a question yesterday regarding the Owen Sound emergency services, what I would like to clarify is that as a result of the Ontario Public Service Labour Relations Tribunal ruling, the Owen Sound emergency services will operate as a crown agent and will negotiate on behalf of the crown.

### **PETITIONS**

### **AUTOMOBILE INSURANCE**

**Mr Kormos:** I have a petition addressed to the Legislative Assembly of Ontario.

"Whereas Bill 68 is legislation that makes tragic changes to the rights of innocent, injured motor vehicle accident victims; and

"Whereas the Peterson government has made it clear that they want this legislation rammed through notwithstanding that people across Ontario have made it clear that they want this bad legislation dumped; and

"Whereas there is nothing in Bill 68 that gives effect to David Peterson's promise in 1987 that he had a very specific plan to reduce auto insurance premium rates, because once this legislation is passed by the Liberals, auto insurance premiums will climb by as much as 50 per cent according to the Minister of Financial Institutions, Murray Elston; and

"Whereas the Liberal government's auto insurance legislation will provide enormous taxpayer subsidies to the private corporate auto insurance industry, costing the Ontario taxpayer at least \$141 million in the first year alone; and

"Whereas this legislation will cost drivers in Ontario millions of dollars in increased premiums; and

"Whereas this insurance legislation will deprive innocent injured victims of at least—

The Speaker: I hope the member has read the new standing orders approved by all members of the House. It is not necessary to read the whole petition. You may give a brief explanation and advise us whether you have signed it. Then other members will have an opportunity to present petitions in the 15 minutes' time that is allotted.

Mr Kormos: Standing order 35(b), Mr Speaker? In summary, what the preamble says is that this is bad legislation that is gouging drivers, hurting victims and catering to the interests of the auto insurance industry to the tune of a \$1-billion payday for them and that it should be dumped immediately simply because it is a cruel attack on drivers and injured victims in Ontario and taxpayers. It is signed by myself, along with the other petitioners.

The Speaker: How many other petitioners?

Mr Kormos: Two other petitioners.

### **RELIGIOUS EDUCATION**

**Mr Reycraft:** I have a petition addressed to the Legislati Assembly of Ontario which reads as follows:

"We, the undersigned, beg leave to petition the Parliamo of Ontario as follows:

"The Ministry of Education has made evolutionism a copulsory core unit in senior OAC (previously grade 13) histed and science. Since evolutionism and creationism are completed acts in the past, neither can be proven nor disproven. In fairned to all parents and students, equal time should be given presenting the underlying assumptions of each. Through to two-model approach, the skills of critical thinking, such recognition of bias, awareness of society's influence on one bias and the awareness of assumptions can allow students examine their own belief system and better appreciate an oposing view."

The petition is signed by 148 people in Mount Brydges a area and I have attached my signature.

### INTRODUCTION OF BILLS

### P & P MURRAY FOUNDATION ACT, 1990

Ms Poole moved first reading of Bill Pr36, An Act to reviethe P & P Murray Foundation.

### 1523

The House divided on Ms Poole's motion, which wagreed to on the following vote:

### Ayes-67

Adams, Beer, Bradley, Brandt, Bryden, Callahan, Campbe Charlton, Conway, Cooke, D. S., Cordiano, Cousens, Curlii Daigeler, Dietsch, Eakins, Elston, Epp, Eves, Fleet, Fulte Grandmaître, Grier, Haggerty, Hart, Hošek, Jackson, Johnson, M., Johnston, R. F., Kanter, Kormos, Laughren, LeBourda Leone, Lipsett, Lupusella, Mahoney, Marland, Martel, McCague, McClelland, McGuigan, McLeod, Miclash, Mor Morin-Strom, Nixon, J. B., Nixon, R. F., Oddie Munro, Off O'Neill, Y., Pelissero, Philip, E., Phillips, G., Poole, Rae, J. Reycraft, Riddell, Runciman, Smith, E. J., Sola, Sorbara, Sou Sterling, Villeneuve, Wong, Wrye.

### Navs-0

### PUBLIC VEHICLES AMENDMENT ACT, 1990

Mr Kormos moved first reading of Bill 120, An Act amend the Public Vehicles Act.

The House divided on Mr Kormos's motion, which wagreed to on the following vote:

### Ayes-49

Adams, Beer, Bryden, Callahan, Campbell, Charlton, Coway, Cordiano, Curling, Daigeler, Dietsch, Eakins, Elston, El Eves, Fulton, Grandmâitre, Hart, Johnston, R. F., Kant Keyes, Kormos, Laughren, LeBourdais, Lipsett, Lupusel Marland, Martel, McCague, McClelland, McGuigan, Morstrom, Nixon, J. B., Oddie Munro, O'Neill. Pelissero, Phil Pope, Reycraft, Riddell, Runciman, Smith, E. J., South, Stling, Sweeney, Velshi, Villeneuve, Wildman, Wong.

### Navs-4

Faubert, Fleet, Poole, Sola.

The Speaker: Just before I send this to the table, I would e to advise all members that we have a standing order that we not accept bills in imperfect form. I note that this one was need to me. It is called Bill 73, An Act to amend the Public hicles Act, introduced by Mr Martel.

Interjections.

**The Speaker:** Order. That can be rearranged, I know, very sily, but I would suggest that I think it would be wise to arrange it.

### IMMANUEL CHRISTIAN SCHOOL SOCIETY OF EAST TORONTO ACT, 1990

Mr Curling moved first reading of Bill Pr40, An Act to vive The Immanuel Christian School Society of East Toronto.

10

The House divided on Mr Curling's motion, which was reed to on the following vote:

### Ayes-45

Adams, Beer, Bryden, Callahan, Campbell, Charlton, Conly, Cooke, D. S., Curling, Daigeler, Dietsch, Eakins, Elston, p. Faubert, Fulton, Grandmaître, Haggerty, Hart, Johnston, F., Kanter, Keyes, Kormos, Laughren, LeBourdais, Lipsett, pusella, Martel, McCague, McClelland, McGuigan, Morin, orin-Strom, Nixon, J. B., O'Neill, Y., Oddie Munro, Philip, Poole, Riddell, Smith, E. J., South, Velshi, Villeneuve, Ildman, Wong.

### Nays-0

### VDT OPERATORS' SAFETY ACT, 1990

Mr R. F. Johnston moved first reading of Bill 121, An Act r the Protection of Video Display Terminal Operators.

50

The House divided on Mr R. F. Johnston's motion, which as agreed to on the following vote:

### Ayes-43

Beer, Bryden, Callahan, Campbell, Charlton, Cleary, boke, D. S., Curling, Daigeler, Dietsch, Elston, Epp, Eves, eet, Fulton, Grandmaître, Haggerty, Hart, Johnston, R. F., anter, Keyes, Kormos, Laughren, Lipsett, Mahoney, Martel, cClelland, McGuigan, Morin, Morin-Strom, Nixon, J. B., O'eill, Y., Oddie Munro, Poole, Reycraft, Riddell, Smith, E. J., buth, Velshi, Villeneuve, Ward, Wildman, Wong.

### Nays-1

Faubert.

Mr R. F. Johnston: I would like to make a short explanaon, one that is much shorter than the explanatory notes that are the bill. It is basically a bill to provide ergonomic protection or video display terminal workers, time off on a regular basis om being in front of the terminal, fines of \$25,000 for infrinements, health and safety committees for the workers and cotection for women who are pregnant who do not wish to be front of a VDT.

### PROFITS FROM CRIME ACT, 1990

Mr Wildman moved first reading of Bill 122, An Act to prevent Unjust Enrichment through Financial Exploitation of Crime

### 1600

The House divided on Mr Wildman's motion, which was agreed to on the following vote:

### Ayes-43

Adams, Beer, Bryden, Callahan, Campbell, Cleary, Cooke, D. S., Curling, Daigeler, Dietsch, Elston, Epp, Eves, Fleet, Fulton, Haggerty, Hart, Henderson, Johnston, R. F., Kanter, Keyes, Kormos, Laughren, Lipsett, Mahoney, Martel, McClelland, McGuigan, Morin, Morin-Strom, Nixon, J. B., O'Neill, Y., Oddie Munro, Pelissero, Philip, E., Poole, Riddell, Smith, E. J., South, Velshi, Villeneuve, Ward, Wildman.

### Nays-0

Mr Wildman: I appreciate the support of the members. The bill makes moneys earned by accused criminals from the sale of their memoirs payable to the Criminal Injuries Compensation Board, which uses the funds received in each case to satisfy judgements obtained by victims of the crime.

### ASSESSMENT AMENDMENT ACT, 1990

Mr Philip moved first reading of Bill 123, An Act to amend the Assessment Act.

### 1610

The House divided on Mr Philip's motion, which was agreed to on the following vote:

### Ayes-32

Adams, Beer, Bryden, Callahan, Campbell, Charlton, Cleary, Elston, Eves, Fleet, Grier, Haggerty, Hart, Henderson, Johnston, R. F., Kanter, Kormos, Laughren, Lipsett, Martel, McClelland, McGuigan, Morin, Nixon, J. B., Oddie Munro, Philip, E., Poole, Riddell, Smith, E. J., Sola, Velshi, Wildman.

### Nays-0

Mr Philip: I trust the Minister of Revenue will notice that this passed with unanimous approval of the House. The purpose of this bill is to exempt from taxation land rented or leased to a church or religious organization if the rental or lease agreement makes the church or religious organization liable for the taxes.

### ONTARIO LAND INFORMATION ACT, 1990

Mr Kormos moved first reading of Bill 125, An Act respecting a Register of Ontario Land Information.

### 1620

The House divided on Mr Kormos's motion, which was agreed to on the following vote:

### Ayes-31

Adams, Beer, Bradley, Bryden, Callahan, Charlton, Cleary, Cooke, D. S., Elston, Eves, Faubert, Fleet, Grandmaître, Grier, Haggerty, Hart, Johnston, R. F., Kanter, Kormos, Laughren, Martel, McClelland, Morin, Nixon, J. B., Oddie Munro, O'-Neill, Y., Philip, E., Poole, Smith, E. J., Velshi, Wildman.

### Nays-0

Mr Kormos: I have a very brief explanation. Some members are quite right—this is a proposal that was made initially back in 1986 by Mr Martel. Let me tell the members what the bill does. This bill would authorize the creation of a public register showing the ownership of all privately held land in Ontario, the use of the land and whether its owner is a resident or non-resident of Canada. Now every owner, every purchaser or vendor of an interest in land in Ontario will be subject to a reporting requirement, and we all know how important that would be to property owners and to other persons having an interest in the role of property here in the province of Ontario.

### CITY OF TORONTO ACT, 1990

Mr Kanter moved first reading of Bill Pr4, An Act respecting the City of Toronto.

Mr R. F. Johnston: This is an important enough bill to have a recorded vote on, if you ask me. Anything to do with the city of Toronto is important to me.

### 1624

The House divided on Mr Kanter's motion, which was agreed to on the following vote:

### Ayes-34

Beer, Bryden, Callahan, Charlton, Cooke, D. S., Curling, Dietsch, Elston, Eves, Faubert, Ferraro, Fleet, Grier, Haggerty, Hart, Johnston, R. F., Kanter, Keyes, Kormos, Laughren, Le-Bourdais, Lipsett, Lupusella, Martel, McClelland, McGuigan, Morin, O'Neill, Y., Philip, E., Poole, Smith, E. J., Sola, South, Wildman.

### Nays-0

Mr Kanter: I was so moved by the enthusiastic response to the previous bill, I would like to introduce another bill.

### CITY OF TORONTO ACT, 1990

Mr Kanter moved first reading of Bill Pr62, An Act respecting the City of Toronto.

### 1638

The House divided on Mr Kanter's motion for first reading of Bill Pr62, which was agreed to on the following vote:

### Ayes-35

Adams, Beer, Bryden, Callahan, Campbell, Charlton, Cousens, Curling, Elston, Epp, Faubert, Fleet, Grandmaître, Grier, Haggerty, Hart, Johnston, R. F., Kanter, Keyes, Kormos, LeBourdais, Lipsett, McCague, McClelland, McGuigan, Miclash, Morin, O'Neill, Y., Polsinelli, Poole, Riddell, Smith, E. J., Sola, Velshi, Wildman.

### Nays-1

Laughren.

### HIGHWAY TRAFFIC AMENDMENT ACT, 1990

Mr Wildman moved first reading of Bill 126, An Act amend the Highway Traffic Act.

### 1647

The House divided on Mr Wildman's motion for first realing of Bill 126, which was agreed to on the following vote:

### Ayes-37

Adams, Bryden, Charlton, Cleary, Cooke, D. S., Couser, Curling, Dietsch, Elliot, Elston, Faubert, Ferraro, Grier, Haggety, Hart, Henderson, Kanter, Keyes, Kormos, Laughren, I. Bourdais, Lupusella, Martel, McCague, McClellan McGuigan, Miclash, Morin, Nixon, J. B., O'Neill, Y., Polsinel Poole, Riddell, Sola, South, Velshi, Wildman.

### Nays-1

Campbell.

The Acting Speaker (Mr Breaugh): Does the membrane a brief statement?

Mr Wildman: Yes. This bill prohibits the use of spare tirk that are not the same type or size as the other tires on twehicle. In other words, it would outlaw the so-called doughr spare tires that we are being stuck with by the car manufacture today.

### HOMES FOR THE AGED AND REST HOMES AMENDMENT ACT, 1990

Mr D. S. Cooke moved first reading of Bill 127, An Act amend the Homes for the Aged and Rest Homes Act.

### 1655

The House divided on Mr D. S. Cooke's motion for fit reading of Bill 127, which was agreed to on the following vote

### Ayes-33

Adams, Beer, Bryden, Charlton, Cleary, Cooke, D. S. Cousens, Dietsch, Elston, Ferraro, Grandmaître, Grier, Haggety, Hart, Henderson, Johnston, R. F., Kanter, Kormos, Laughre LeBourdais, Lupusella, Mahoney, Martel, McCague, McClelland, Miclash, Nixon, J. B., O'Neill, Y., Oddie Mun, Philip, E., Polsinelli, Sola, South.

### Nays-2

Faubert, Velshi.

The Acting Speaker: Does the member have an explantion?

**Mr D. S. Cooke:** It is self-explanatory.

Mr Owen: Mr Speaker, I would like to move that we a journ.

The Acting Speaker: The motion is in order. Is it to pleasure of the House that the motion carry? I declare the motion carried. This House stands adjourned until 1:30 of the cloy Monday next.

The House adjourned at 1655.

### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L) Allen, Richard (Hamilton West NDP) Ballinger, William G. (Durham-York L) Beer, Hon Charles, Minister of Community and Social Services (York North L) Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L) Bossy, Maurice L. (Chatham-Kent L) Bradley, Hon James J., Minister of the Environment (St Catharines L) Brandt, Andrew S. (Sarnia PC) Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP) Bryden, Marion (Beaches-Woodbine NDP) Campbell, Sterling (Sudbury L)

Brown, Michael A. (Algoma-Manitoulin L)

Callahan, Robert V. (Brampton South L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L) Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L) Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills

Development (Renfrew North L) Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L) Cousens, W. Donald (Markham PC)

Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)

Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Illiot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L) Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

aubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Perraro, Rick E. (Guelph L)

leet, David (High Park-Swansea L)

Containe, Hon René, Minister of Northern Development

(Cochrane North L) ulton, Ed (Scarborough East L)

<sup>2</sup>urlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L) Hampton, Howard (Rainy River NDP) Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC) Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L) Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP) Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP) LeBourdais, Linda (Etobicoke West L) Leone, Laureano (Downsview L) Lipsett, Ron (Grey L) Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L) Mackenzie, Bob (Hamilton East NDP) Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC) Martel, Shelley (Sudbury East NDP) Matrundola, Gino (Willowdale L) McCague, George R. (Simcoe West PC) McClelland, Carman (Brampton North L) McGuigan, James F. (Essex-Kent L) McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of Natural Resources (Fort William L)

Miclash, Frank (Kenora L) Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L) Nicholas, Cindy (Scarborough Centre L) Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L) Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs

(London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and

Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of

Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Service:

(Wentworth North L) Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio

(Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation

(Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

### **CONTENTS**

### Thursday 29 March 1990

r itvate members public business	Of all questions
iolence against women, resolution 44	Time allocation
Mrs E. J. Smith	Mr B. Rae
Mr R. F. Johnston	Mr Ward
Mr Jackson	Mr Runciman
Mr Fleet	Automobile insurance
Mr D. R. Cooke	Mr Sterling
Agreed to	Mr Elston
mployment Standards Amendment Act, 1989, Bill 82 . 253	Minimum wage
Mr Mackenzie	Mr B. Rae
Mr McLean	Mr Phillips
Mr Dietsch	Ontario Hydro labour dispute
Mr Allen	Mr Brandt
Ms Oddie Munro	Mrs McLeod
Mr R. F. Johnston	<b>Employment equity</b>
	Mr Velshi
Second reading negatived	Mrs Wilson
Members' statements	Preston Springs Gardens Retirement Home 270
Wienibers statements	Mr D. S. Cooke
ig Brothers of Niagara South	Mr Morin
Mr Kormos	Automobile insurance
Inistry of the Environment	Mrs Marland
Mrs Marland	Mr Elston
asketball championship	Housing on government land
Mr Ferraro	Mr Adams
Ontario Food Terminal	Mr Ward
Mrs Grier	Lottery tickets
Coronto Transit Commission	Mr Kormos
Mr Cousens	Mr Black
Dave Van Belleghem	Automobile insurance
Mr Miclash	Mrs Cunningham
lealth concerns at schools	Mr Elston
Mr R. F. Johnston	Direct flights
Children's mental health services	Mr Daigeler
Mrs Cunningham	Mr Wrye
exual assault	M-4°
Mr Reycraft	Motions
Wil Regelate	Private members' public business
Statements by the ministry	Mr Ward
5,000	Agreed to
eaton community development	House sittings
Mr Sweeney	Mr Ward
Mr Wrye	Agreed to
Drug abuse	Committee sittings
Mr Black	Mr Ward
I'll Didok	Agreed to
Responses	11000000
	Petitions
eaton community development	
Mr Breaugh	Automobile insurance
Mr Cousens	Mr Kormos
Prug abuse	Religious education
Mr Runciman	Mr Reycraft

First readings	City of Toronto Act, 1990, Bill Pr4	1
P & P Murray Foundation Act, 1990, Bill Pr36 274	Agreed to	7
Ms Poole	City of Toronto Act, 1990, Bill Pr62 2	7
Agreed to	Mr Kanter	
Public Vehicles Amendment Act, 1990, Bill 120 274	Agreed to	, ,
Mr Kormos	Highway Traffic Amendment Act, 1990, Bill 126 2	,
Agreed to	Mr Wildman	
Immanuel Christian School Society of East Toronto Act,	Agreed to	
1990, Bill Pr40	Homes for the Aged and Rest Homes Amendment Act,	
Mr Curling	<b>1990,</b> Bill 127	
Agreed to	Mr D. S. Cooke	
Mr R. F. Johnston	Agreed to	,
Agreed to		
<b>Profits from Crime Act, 1990,</b> Bill 122	Other business	
Mr Wildman	A 64	) 4
Agreed to	Afternoon sitting	)^
Assessment Amendment Act, 1990, Bill 123 275	Member's anniversary	
Mr Philip	Ambulance services	,-
Agreed to	Mrs Caplan	
Ontario Land Information Act, 1990, Bill 125 275	Adjournment	>-
Mr Kormos Agreed to	Alphabetical list of members	)
Agreed to	Zipiiabeticai list of members	1



9 90

9 90

# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Monday 2 April 1990



Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

## Assemblée législative de l'Ontario

Deuxième session, 34e législature

### Journal des débats (Hansard)

Le lundi 2 avril 1990

Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

### Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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### LEGISLATIVE ASSEMBLY OF ONTARIO

### Monday 2 April 1990

The House met at 1330. Prayers.

### ANNUAL REPORT, COMMISSION ON CONFLICT OF INTEREST

The Deputy Speaker: Before we start, I beg to inform the House that I have today laid upon the table the first annual report of the Commission on Conflict of Interest for the period 1 September 1988 to 31 December 1989.

### **MEMBERS' STATEMENTS**

### ST JOSEPH'S TRAINING SCHOOL FOR BOYS

Mr Kormos: Serious allegations have been made about incidents of sexual assaults and other physical assaults upon young boys by the staff of the now-defunct St Joseph's Training School for Boys in Alfred. These allegations are joined by the revelation that the Ontario government of the day conducted a secret investigation in 1960 and confirmed complaints of physical and sexual abuse and that no charges were ever laid.

To know that physical and sexual violence was imposed upon children by their caretakers is in itself a repugnant prospect. That the government of this province could have aided in a coverup and protection of those responsible is abominable.

The children of Ontario must be able to grow up protected from violence, physical and sexual. As citizens we must have confidence that those in authority will pursue and prosecute those responsible for attacks upon young people. The message from St Joseph's is to the contrary.

It is unacceptable that the complaints of youngsters at St Joseph's were not acted upon. The passage of time is no reason for failing those same people now. The greatest tragedy is that the victims of this violence have had to live with their pain without comfort or aid, or even the decency of acknowledgement of having been a victim.

It is imperative that this government commence a public inquiry and that it be initiated without delay to investigate violence upon children at St Joseph's prior to its closing and possible violence at other similar institutions, and to determine how the province could have allowed a coverup as it did. In addition, it is clear that the needs of those victims, now adults, must be determined and met with charity and generosity.

### AUTOMOBILE INSURANCE

Mr McLean: My statement is directed to the Minister of Financial Institutions and concerns Bill 68, the Insurance Statute Law Amendment Act. The people of Simcoe East are opposed to Bill 68 and they are making their feelings known through letters and calls to my constituency offices in Orillia and Penetanguishene.

They are opposed to Bill 68 because it sacrifices fairness for accident victims in the name of political expediency; it will result in Ontario taxpayers paying more for lower coverage, fewer benefits and reduced rights; it contains a type of threshold insurance that will be no more cost-effective than the current system; it will likely bar 95 per cent of accident victims from access to compensation in excess of the no-fault benefits; it has the potential to reduce insurance for the very people who

require protection most, the poor and the unemployed; it will do nothing to reduce premium costs or even provide a measure of price stability; it creates a tremendous social cost by eliminating the deterrent function of the current tort system, and the minister has made no effort to determine the cost to the public of administering this proposed insurance system.

My constituents have clearly indicated that this legislation should be withdrawn and redrafted. The minister should be listening to them.

### **EDUCATION FINANCING**

**Mr Faubert:** The Premier has said, "Our ability to handle education, skills training and labour adjustment effectively in the 1990s will determine our capacity to develop a competitive economy and a high standard of living for the people of Ontario."

Since this government took office in 1985 we have demonstrated our commitment to providing quality education for all Ontarians by increasing operating grants to school boards by \$1.3 billion, or 41 per cent. We have also increased capital grants by \$258 million, or 350 per cent, province-wide.

This year operating grants to school boards will increase by 8.7 per cent and capital grants by 7.1 per cent. In post-secondary education this year Ontario's universities and colleges will receive an eight per cent increase in operating grants. This represents a total increase of almost \$200 million, which does not include the \$122.7 million in capital grants to post-secondary institutions.

Yet the message coming out of Ottawa is the opposite. The Prime Minister talks a good game, as he says things like: "I want to see Canadian education standards that match those of our toughest competitors. I want to see reforms that will generate education from coast to coast. I want to see action."

The action the federal government has taken is to cut transfer payments to provinces for health and post-secondary education by \$7.4 billion. Ontario alone will lose \$378 million. Clearly his commitment does not match his rhetoric.

We are fortunate here in Ontario to have a provincial government committed to quality education and the willingness to support that commitment with the necessary resources. Unfortunately, our federal government's commitment to education is more talk than action.

### NUCLEAR POWER

Mr Charlton: At long last the Liberal Party has come full circle on the issue of nuclear power generation in Ontario. In the late 1950s and early 1960s the federal Liberals, in conjunction with the provincial Conservatives, dreamed up and created the nuclear power industry in the province.

Fifteen years later, in the mid-1970s, the provincial Liberals started to climb down from that nuclear power bandwagon. In 1977 they opposed adamantly Ontario Hydro's uranium contracts. In 1978 they demanded the cancellation of two units at the Bruce nuclear heavy water plant. In 1983 the Premier, then the opposition leader, said that the building of the Darlington nuclear plant was madness and warned Ontario against moving too quickly into a nuclear future.

In 1985, during the campaign, the Premier said that finishing Darlington was a horrible mistake. In 1986 the Liberals said

we should finish Darlington only because too much money had already been spent to warrant its cancellation.

In 1990, on the eve of the hearings on Hydro's proposals for the next 25 years, which include three and perhaps four nuclear plants, the Liberal Party has finally passed a resolution supporting nuclear power. Their circles are making the people of Ontario dizzy.

1340

### **EDUCATION FINANCING**

Mr Jackson: On Friday this government announced the educational grants or general legislative grants for 1990. The minister boldly claimed that operating grants to school boards would increase by 8.7 per cent. But in reality school boards will get only a 4 per cent increase because 4.7 per cent will be used to finance government initiatives, such as the employer health levy, pay equity, new pooling, reduced class size in grades 1 and 2 and new kindergarten initiatives.

This is bad news for the property taxpayers of Ontario. Reduced provincial funding for education cost them an additional \$1 billion last year. This year the boards will need an additional \$800 million to cover the cost of provincially mandated programs. The net result will be double-digit tax increases for the third year in a row.

Local taxpayers will complain and school trustees will be held accountable for budgetary increases that are clearly beyond their control. This offloading of responsibility cannot continue. Education is too important for the Liberals to pursue their own political agenda at the expense of a basic public education agenda.

In 1985 the Premier promised to increase the provincial share of education funding to 60 per cent. Since making this promise the provincial share has fallen each year and will be at an all-time low of about 40 per cent this year. Clearly the Premier has not done what he said he would do. It is time the government acted on the recommendations of the select committee on education and introduced a rational basis for education finance in this province.

### **DIRECT FLIGHTS**

Mr Chiarelli: I would like to take this opportunity to join with the member for Nepean, who last week asked the Minister of Transportation's assistance in urging his federal counterpart to address a major concern raised by the Ottawa business community, namely, the provision of a direct air link between Ottawa and the US Midwest.

To continue to thrive in increasingly competitive business markets, the establishment of such an air link is critical to the Ottawa-Carleton economy generally and the region's high-technology sector in particular. Because most US-based customers must make at least two transfers to get to Ottawa, most choose not to visit the facilities of Ottawa-based suppliers, putting our highest-growing sector at a distinct disadvantage with other regions in Canada and the United States.

Canada's capital is the only major community in Canada that does not have direct access to the US Midwest. In the words of Len Potechin of the Ottawa-Carleton Economic Development Corp: "For a government that claims to be concerned about the deficit, diversifying the economy, decreasing reliance on the public purse and wants to see the private sector do more, particularly in research and development, it seems ironic that in Ottawa, we are simply grounded."

### WHYY MEE! FOUNDATION

Mr Philip: As someone who represents a large number of constituents who are members of the visible minority community, I am particularly appreciative of the valuable work being conducted by the Whyy Mee! Foundation.

In 1982, while working in the medical profession, Eugenia Pearson realized that many of her patients had needs that were not purely physical in nature. She recognized that their major problems were frequently those related to the psychological stresses resulting from the challenges of adjusting to a completely new society without the benefit of adequate support systems. This led her to become involved as a volunteer with correctional services and to found the Whyy Mee! Foundation.

Whyy Mee! is recognized as a non-profit organization with charitable status. Its doors are open to anyone who has a problem coping with legal and social services in our community; however, it places a special emphasis on attempting to reach out to immigrants and racial minorities. Its services include counselling before and after court appearances, counselling and assistance to the families of those who find themselves tied up in the Canadian legal system, advocacy in court and counselling on immigration problems.

I believe that Whyy Mee! plays an important role in bringing about a greater understanding among peoples of different colour and cultures. It deserves the congratulations and support of all members of the Legislature.

I invite my colleagues in the Legislature and their constituents to join my wife, Suzanne, and I at a fund-raising event for the Whyy Mee! Foundation on Sunday 29 April at 4 pm. This will be held at the Organ Grinder restaurant. Tickets are \$10 per person and can be obtained by telephoning 481-5462.

### USE OF PUBLIC FUNDS

Mr McCague: During the past few months, a number of Liberal members and cabinet ministers have been in the news for the interesting ways in which they use public funds, either in the way of salaries for staff or for cost of material, in promoting causes that have little to do with their public duties.

The most recent example came to light this past weekend. The Minister of Consumer and Commercial Relations in a letter dated 26 March 1990, in a constituency envelope and using constituency letterhead, trumpeted the qualities of one Paul Costello for the position of vice-president of policy in the Ontario Liberal Party.

All those who received this letter, mailed through the Queen's Park internal mailing service, were asked to consider the qualities of this gentleman when casting their ballots at the Liberal convention this past weekend in Windsor; if they wanted to meet Mr Costello, then they were urged to attend a hospitality suite the minister was hosting at the local Holiday Inn.

To be sure that he did not miss any potential voters who might throw their support behind Mr Costello, the minister must have cast a very wide net indeed. The letter I am quoting from was received by my colleague the member for Hastings-Peterborough who, in spite of the minister's enthusiastic support, did not vote for Mr Costello.

### TOWN OF ELLIOT LAKE

Mr Brown: Elliot Lake offers the best of everything. It provides excellent accommodation, health and recreational facilities both for its long-time residents and for a new seniors population that has recently been attracted by Elliot Lake's highly successful retirement living program. However, the

2 APRIL 1990 283

recent announcements of workforce reductions by Rio Algom mines and Denison Mines was a severe blow to the community; 2,000 primary jobs will be lost to the area.

In single-industry towns such as Elliot Lake, this is an economic setback of great magnitude, but not one that could not be overcome. We must strive to improve and enhance opportunities for new local employment through economic diversification. The province has decided that its response to these workforce reductions will coincide with and support the goals and strategies of the community.

This method was chosen because the government truly believes that local solutions to local problems will work better than solutions imposed from Queen's Park. Therefore, this government will be a full-fledged partner in the implementation of Elliot Lake's strategic plan.

An interministerial committee of concerned ministries has already met and will be co-ordinating the government's responses to this great problem. By working together, we will build a strong and diversified society and economy for both ourselves and our children.

### STATEMENTS BY THE MINISTRY

### ONTARIO LAW REFORM COMMISSION REPORTS

Hon Mr Scott: Today I will be tabling two reports of the Ontario Law Reform Commission. These are the Report on the Liability of the Crown and the Report on Damages for Environmental Harm. The commission, as members will know, is an independent legal think tank established by the Ontario government in 1964.

The commission's Report on the Liability of the Crown notes that in spite of earlier major reforms, the current law governing liability of the Ontario crown still provides the government and its servants with certain privileges and immunities that are not enjoyed by ordinary persons.

The commission finds that this inconsistency can make it difficult in some situations for a member of the public to obtain redress against the crown. As well, many crown immunities and privileges are not, in the view of the commission, in conformity with the general principles underlying the Canadian Charter of Rights and Freedoms.

On the basis of these findings, the report recommends the abolition of many crown privileges and immunities and an overall rationalization of the rules relating to crown liability which would simplify the law in this area. The general principle underlying the commission's recommendations is that government and its servants should, like any member of the public, be subject to the ordinary law with the exceptions only of certain unique powers and immunities necessary for effective government.

### 1350

The Ontario Law Reform Commission's Report on Damages for Environmental Harm recommends the creation of a new statutory remedy for the protection of the environment. The commission's view is that those who cause harm to the environment should be liable to pay civil damages to compensate the public for the harm.

The remedy is intended to reflect the commission's perception that a harm to the environment has a broader dimension, distinct from any direct injury suffered by individuals for which redress is due to the general public. Damages collected under such a remedy would be given to a special government body to

be applied to the restoration and rehabilitation of the environment.

The commission suggests that such damage claim for environmental harm might be brought not only by the government, but by individuals and public interest groups that have standing under the proposed new standing rules recommended in the commission's 1989 Report on the Law of Standing, which was tabled in this House.

I invite all members of the Legislature and of the public to review the recommendations, some very contentious, that the commission has made with regard to the protection of the environment and to the liability of the crown, and to let the government have their views thereon.

### RESPONSES

### ONTARIO LAW REFORM COMMISSION REPORTS

Mr Kormos: We welcome and appreciate the recommendations of the Ontario Law Reform Commission, particularly in so far as they expand and increase the tort rights against wrongdoers. It is remarkable that the law reform commission would be saying that, and it is remarkable that this government would be so out of step with the forefront of thinking when it comes to tort and civil liability.

We very much hope that this government embraces these recommendations, as we do, and recognizes the value of them to people across Ontario, especially in so far as our environment is concerned, and how valuable the tort system is to maintaining an environment that is livable. At the same time this government is denying innocent injured victims of motor vehicle accidents those same tort remedies that the law reform commission, in a progressive way, is recommending the government provide in terms of the interests of the environment and the community in general.

This government not only wants to deny to 95 per cent of all injured innocent accident victims the right to be compensated for pain and suffering and loss of enjoyment of life, but this government wants to take away, in its Bill 68, the right of those very same innocent injured victims to go to a courtroom to seek redress if they feel that is necessary.

This government is so out of step and so regressive. This government has a law reform commission that makes progressive and beneficial recommendations. This government unfortunately is obviously not prepared to listen to the people of Ontario. One suspects that if it follows suit, it is not prepared to listen to the law reform commission either. This government has taken the people of Ontario back five decades instead of forward into the 1990s.

Mr B. Rae: I just want to call attention to the very significant report of the law reform commission entitled Report on Damages for Environmental Harm.

My colleague the member for Etobicoke-Lakeshore has brought forward a private member's bill that stands in her name entitled Bill 12, the Ontario Environmental Rights Act, 1989, which deals with a subject that is entirely parallel to the one being discussed by the law reform commission. It is a very significant question; I am sure the Attorney General will want to listen to this, as he always does want to listen to others. Unless we give to citizens the right to enforce the law, and if we leave it entirely in the hands of a government bureaucracy, it will not happen on its own.

We now understand that until we give to citizens the right to enforce the law, the law will not be as effectively enforced as it needs to be. The fact that the law reform commission, in a very thorough document which has gone through a number of the remedies being applied in other common law jurisdictions, has looked at expanding the notion of the law of standing and given to the public and given to citizens acting in the name of the public the right to enforce the law is a significant move forward.

But it is only as significant as the definitions of the environment and the standards for water quality and air quality set out by the government of the day. As long as we have governments that are unprepared to bring in effective standards, it is not going to be enough to say that we give to citizens the right to sue for damages on behalf of the general interest.

This is indeed a creative report. I know it is one that will cause a great deal of public discussion. One can only hope that it will cause public action. I can assure you, Mr Speaker, that after the next election it will cause public action.

Mr Sterling: First of all, I would like to congratulate the Ontario Law Reform Commission for what appears at first blush to be another very good piece of work. I only hope the Attorney General and the government of Ontario will pay some attention and not put these reports on the shelf with so many other reports that seem to be piling higher and higher but seem to evoke no positive, real legal reform on the part of this Liberal government.

It is hard to either support or reject all the ideas contained in the overview the Attorney General presented to us. However, I do say that there is room within our legal system to provide more accountability on the part of the government for its actions to its citizens. Therefore, we would welcome in some ways the widening of the rights of the citizenry of Ontario to sue the government for wrongs in a civil manner.

The second area that I think is of extreme interest and has been mentioned by the leader of the New Democratic Party is the Report on Damages for Environmental Harm. I do not hold out great hope that the government of Ontario will be a successful litigant in the courts against an individual or a corporation with regard to environmental harm. However, I do hold out significant hope that an individual, a group of individuals or a private interest would have a great chance of success in the courts in seeking damages for environmental wrongs. I think it is only by widening the net of responsibility for environmental harm that we will face the environmental problems we have in this province.

I see this second report as extremely important to us in the next decade of our history in Ontario. I would only urge the Attorney General and the government of Ontario not to shelve this particular report, but to start generating public input and start introducing legislation to put these reforms into effect.

Mrs Marland: Speaking to the report of the Ontario Law Reform Commission as it pertains to environmental harm, I think first of all we should recognize the significance of this report based on the fact that here we have a highly respected, auspicious body that recognized something that obviously this government fails to recognize. We have a Minister of the Environment in Ontario today who by his lack of proactive programs, maybe even through the error of omission, might be guilty under some of the recommendations that are in this report today.

It is very interesting when we look back to last year that we had this supposedly innovative, exciting throne speech that, for example, announced with respect to the environment a new lottery, Cleantario. That was a lottery, we understood, to protect

the environment. What do we have instead of the fulfilment of yet another Liberal government announcement? We do not have a new lottery in terms of protecting the environment; we have another hand digging into the same pot of our existing lottery profits, along with the hospital operations.

All we can say is that the Ontario Law Reform Commission is to be congratulated. They recognize what is going on today in this province in terms of the risk and danger to the environment. It is fortunate that somebody knows what is going on, because the Liberal government does not. Their remedy at the moment for environmental damage is simply to announce programs after the fact.

Certainly the Hagersville tire fire will live on for ever and haunt everybody's responsibilities, because after the fire they made an announcement. Therefore, when the Ontario Law Reform Commission says that there should be a new statutory remedy for the protection of the environment, it is because what is going on is not working.

1400

### ORAL QUESTIONS

### MINISTRY CALL TO INSURANCE COMPANY

Mr B. Rae: I would like to ask a question of the Premier. It has been reported in the media, and I want to ask the Premier how he feels about it, that a member of the staff of the Minister of Financial Institutions phoned a shareholder of an insurance company, Kingsway General Insurance Co, asking the shareholder to put pressure on the president of that company not to send the Premier a letter with respect to the insurance bill that is before the House today. Can the Premier explain how a member of the Liberal government's staff would possibly have got it into his mind that this is something he ought to do?

**Hon Mr Peterson:** I believe the Minister of Financial Institutions has dealt with this matter and I am sure he would be happy to tell the member how he did so.

Hon Mr Elston: The honourable gentleman makes an assertion that is, first of all, not proper in the sense that pressure was applied. Contact was made by the member of my staff, who in fact was not putting pressure on anybody to do anything but was inquiring what had been done with the company in the direction given to the particular gentleman.

No pressure was being applied by my staff member, but just in case there was anything misconstrued about the call, I have advised my staff member that such action should not be taken in the future. In fact, he has received a reprimand with respect to the call, although I am satisfied that he was not applying pressure, was not intending to apply pressure and in fact did not apply pressure in this particular case.

Mr B. Rae: The minister cannot have it both ways. He cannot say to his staff member, "You didn't do anything wrong, I agree with you, but whatever you did, don't do it again." That does not make any sense. This minister and this government have claimed all along how independent they are of the insurance industry. If we ever needed proof that this government is in bed with the insurance industry, it is phoning shareholders of individual companies asking them to take steps with respect to what is going on on an individual letter.

Is the minister prepared to have his staff member come before a committee of this House and answer questions with respect to his activities in relationship to that insurance company? 2 APRIL 1990 285

Hon Mr Elston: In relation to what the honourable gentleman first started out with, he indicated that my staff person had asked the gentleman not to send a letter. That in fact is not the case. The letter had been sent on to the Premier's office and had demanded a two-day turnaround in terms of reply. The staff member had spoken, rightly, to the sender of the letter and said, "Listen, people are away; give us some time," in appreciation of the time to do correspondence and not to require a two-day turnaround. Then he set about trying to understand the basis upon which this letter had been sent.

The letter was already sent. There is no question about that. There was no indication that he wanted people to take action or not to take action, but merely to find out what was happening.

I will tell the member one thing: The fact that this particular president of this particular insurance company is complaining about it does not bear out the fact that there is some cosy relationship, but bears out the fact that we are inquiring into what is going on in the business. In fact, this president takes offence at our trying to understand what the pressures are inside the insurance industry. They are concerned about the fact that we are trying to take action on behalf of the consumers of this province, and this is just a way in which that president wishes to respond to our wanting to know about the insurance industry and wanting to know what it takes to protect the consumers of the province, rather than the version that the Leader of the Opposition has been trying to create here in the question.

Mr B. Rae: Let me say to the minister that he has a story to tell. His staff member has a story to tell. Mr Star has a story to tell. I would think that his shareholder in the United States has a story to tell. The minister says he is right. Mr Star says he is right. He was on one end of the phone. The minister's staff person was on the other end of the phone. What I am suggesting is that it would be fair and reasonable for this government to agree to refer this entire matter to a legislative committee. If not, what has the minister got to hide? Why is he hiding the kinds of activities that are going on in terms of contact between members of his staff and individual shareholders of the insurance industry? What has the minister got to hide anyway?

Hon Mr Elston: There is nothing to hide with respect to what was going on. In fact, I have taken steps to indicate to my staff person that I understood what he was attempting to do and where the pressure for a two-day turnaround in the letter to the Premier's office was coming from. I tell all of my staff people to be thoroughly advised of the facts and to come up with the truth of the case, to make the inquiries that they need to.

I told the person in this case, although I understood the matter was being handled properly in his view, that perhaps he had overstepped his bounds—I do not believe he tried for one moment to put pressure on anybody—and if he left the impression that there was pressure, he should not do it again. I have told him and reprimanded him to make sure that he understands how serious this is in terms of having a call made from the minister's office. I can tell the honourable gentleman that since I have dealt with this and taken the steps to deal with it, I think the matter has come to an end satisfactorily. I think that will ensure that sensitive dealing with issues about pressure being put on anybody will be handled better by that particular staff member.

Just let me say one other thing. We will always attempt to get the clear, factual basis upon which pressure is being applied on the ministry and on the minister's office. We will continue to make thorough investigations on behalf of the consumers. When those people call us about inappropriate activity by those

companies, my office will continue to make the inquiries to ensure that we are protecting consumers. We will not be put off by the requests of the honourable gentleman.

### NIAGARA ESCARPMENT

Mrs Grier: My question is for the Premier. On Wednesday the Premier will be hosting the inauguration of Ontario's Niagara Escarpment as a UNESCO biosphere reserve. This gives international recognition to what the Canadian Commission for UNESCO has described as Canada's first large-scale environmental land use plan—a plan, let us remind ourselves, that was supported by all three parties in this House. I am, and I know the Premier is, very proud of this designation by UNESCO and I welcome it. I would like the Premier to tell the House what plans he has to transfer administration of this environmental land use plan and the Niagara Escarpment Commission to the Ministry of the Environment.

Hon Mr Peterson: I appreciate the honourable member's suggestion on how to administer that particular plan. Some may feel it is better administered in one area as opposed to another. I am not sure that is the main issue. The main issue, I believe, is the substance of that great plan, which as my honourable friend has said was not conceived by this government. It was added to substantially by all members of this House. I look at a number across the floor who added a lot to it and I highly respect that.

It had its genesis many years ago. There may be some compelling reason to change it to the Ministry of the Environment—I am certainly open to suggestions in that regard—but I think my honourable friend would be the first to admit that it has achieved this international recognition the way it is done. If there is a better way to do it, I am always open to it. It is not, frankly, a matter of major public policy to me one way or the other, but I am always open to new suggestions.

### 1410

Mrs Grier: This morning the member for York South and I visited an area of the Niagara Escarpment in the Halton Hills area. We saw gravel pits, proposed gravel pits, land being prepared in anticipation of gravel pits and worked-out gravel pits that are proposed to be used for the garbage from Metropolitan Toronto, all on the face of this internationally recognized environmentally significant piece of Ontario.

The legislation that inaugurated the Niagara Escarpment plan says very clearly that the purpose of the act is to provide for the maintenance of the Niagara Escarpment as a continuous natural environment. How can the Premier possibly justify accepting designation as a biosphere and yet say that he is quite happy with the substance of the plan and at the same time allow garbage pits to be created, to be expanded, to be inaugurated on the very brink of the escarpment?

Hon Mr Peterson: I appreciate the advice of my honourable friend on this matter. As she knows, these things are in the hands of the escarpment commission. But I recognize my honourable friend stands up and exemplifies the schizophrenia of her party. On the one hand she would like to take credit for this international award and believes that she was instrumental in that, and on the other hand she is so critical. Why would she not stand up and celebrate on this happy occasion; get out of the pits, stand up and celebrate?

Mrs Grier: I think the Premier has hit on the nub of the issue. We all celebrate this designation. Citizens' groups along the escarpment celebrate it and, as they celebrate, they wonder why they are forced time and again to fight to protect the es-

carpment. The escarpment commission does not have the resources to do the job it would like to do and citizens' groups spend their time, their energy and their money to try to prevent this government from putting garbage dumps and quarries in the escarpment.

I am prepared to celebrate. When will the Premier give us real cause for celebration: protection of the escarpment? That is what we want.

**Hon Mr Peterson:** I have been debating whether to invite the honourable member to this great ceremony.

Mrs Grier: You already have and I have accepted.

**Hon Mr Peterson:** I have? I have been debating whether I should rescind the invitation to the honourable member.

Mrs Grier: And I am bringing my friends.

Hon Mr Peterson: I want her to come and take credit for this, as she always does, and she can make her little speech. But she should look at what is happening. I think she should celebrate, enjoy. I think she should not be so negative on the situation. The United Nations has recognized that this process is working extremely well. It is highly democratic. We have very able people making the decisions with respect to the escarpment and compared to the other things in the world.

My honourable friend will always criticize. I am used to that. That is in her nature. It is tough for her to summon up any charity for these matters, but let me say, since I have invited her, she should come and celebrate.

### RENTAL ACCOMMODATION

**Mr Brandt:** My question is for the Premier. The Premier is well aware of the fact that—

Hon Mr Peterson: You can come too, Andy.

Mr Brandt: I did not receive an invitation. If I had received an invitation I might have accepted and I might have joined the Premier and the member for Etobicoke-Lakeshore in the pits that particular day. I know the Premier will be making little speeches, along with the critic for Environment.

The Deputy Speaker: The question is?

Mr Brandt: I did not start this, Mr Speaker. I want you to know that.

My question for the Premier is on a very serious subject that relates to perhaps one of the most difficult challenges that his government has to face, that being the housing crisis that I believe we have here in Ontario. As the Premier is well aware, back in 1987 during a particular activity in which he was involved in the fall of that year, he made a number of promises and commitments to the people of this province relative to a certain target number for rental housing units that he was proposing to have completed as part of his totally completed agenda which he talked about rather recently.

Of those 102,000 promised units, I wonder if the Premier could share with this House how many have been completed to date.

Hon Mr Peterson: The minister will be able to assist the honourable member with respect to the specifics, but may I say before I refer the question, recognizing that he has very few invitations these days, he is very welcome to attend on Wednesday next.

The Deputy Speaker: Order, please.

Hon Mr Sweeney: From 1985, when this government first assumed responsibility, up to the present, there are approximately 55,000 units that have been completed, as the honourable member would be aware, and roughly 30,000 that are in various stages of completion. I would expect by about 1993, or maybe a little earlier, we would be up around the 90,000 figure.

Mr Brandt: The minister will be aware that the promise made was to complete the 102,000 units by the end of 1989. We have now passed the end of 1989 by some three months. The figure I have, and I will give the minister the benefit of the doubt, is considerably lower than the figure he has shared. It might be of further interest to some of his colleagues to be advised that fully half of the units that the minister has constructed to date have been with the assistance of the federal government.

Since the minister has fallen far short of his target, which was 102,000 units by the end of 1989, what plans does he have in place to catch up with this absolutely dramatic shortfall in meeting the very numbers in terms of objectives that the government set?

Hon Mr Sweeney: I would say that 90,000, compared to the approximate 100,000, is not a significant shortfall. But the honourable member is well aware of the fact that we do have about 5,000 units a year which we cost share with the federal government, and that number has been declining every single year since we formed the government. At the same time, the number of units which this province produces unilaterally has been climbing every single year since we formed the government, and I think that is a pretty good tradeoff.

Mr Brandt: Again I want to advise the minister that the numbers I have received through our research are considerably lower than the numbers he is suggesting. Would he agree to share with this House the numbers that he has relative to rental completions so we can work from the same agenda and ask questions with respect to this matter in an area where perhaps we can reach some agreement?

Again I want to say to the minister that 102,000 units were promised. It is my understanding that the number actually completed is closer to 20,000, not 55,000, as he has suggested. Will the minister agree to table with this House information relative to the number of housing units started and completed and where he is relative to his promise of 102,000 units?

Hon Mr Sweeney: I would be quite happy to share with my honourable colleague the source of the numbers that I used. In partial response to his previous question, I should point out to him that I have been in consultation with the Ontario Non-Profit Housing Association and the Co-operative Housing Association of Ontario looking for ways to extend this program even further.

The honourable member will be aware of the fact that our cost-sharing mechanism with the federal government also includes rent supplement programs whereby we work out an arrangement with the private sector to assume responsibility for some of the units which it builds. That is built into the figure as well, and that may be part of the reason for the difference.

### MINISTRY CALL TO INSURANCE COMPANY

Mr Runciman: I have another question for the Minister of Financial Institutions related to the conduct of his executive assistant and his efforts to pressure—and I think that is the appropriate word—Mr Star and the shareholders of his com-

2 APRIL 1990 287

pany to not make a certain letter public. I think that was where the pressure was exerted, certainly not to hold back the letter and get a two-and-a-half-day turnaround on the letter.

I inferred from the minister's nonanswers earlier that he found out about this matter simply through press reports. He says "true." I would like him to stand up and confirm that on the record, that indeed he just found out about this through press reports. If that is the case, what does this say about the conduct of his staff and his own competence?

Hon Mr Elston: I found out that there was concern being expressed to my staff member by Mr Star last Friday, and we talked about things that he had spoken about, both to Mr Star and the company in the United States that has a substantial interest in the Kingsway insurance company, prior to the weekend. So I did not find out about it just through the press.

Mr Runciman: I would think that the minister should find that totally unacceptable conduct. It is an abuse of power by the government, and there is obviously an ethical vacuum in the minister's office. We are talking about his own executive assistant applying pressure to shareholders of an insurance company, really an effort in damage control. Again, as has been said earlier, it reflects the very close ties of this government with the insurance industry in respect of Bill 68.

I want the minister to respond to this: Will he tell the House how his executive assistant would think that his conduct was acceptable conduct as a senior aide to this minister?

### 1420

Hon Mr Elston: My executive assistant has told me, and I have inquired with him the exact nature of the discussion, and I am satisfied that it was not his intention to even be seen to be applying pressure. His way of contacting people, I have indicated to him, may have been inappropriate inasmuch as it left an impression.

I am satisfied that there was no intention on his part to exert pressure, and I have told him that when he exercises his judgement again—and that is, in fact, what I meant by the reprimand—that he in fact leave no impression in discussing anything with anyone who calls him or whom he calls about issues which are current that there is pressure being exerted by my office. I have advised him of that. I have taken the steps necessary to ensure, in my mind, that his conduct will not be repeated and in fact it is, in my view, now completely concluded.

Mr Runciman: Well, for the minister to stand in this House and suggest that this gentleman was not applying pressure, he must have been born yesterday or think other members of this Legislature were born yesterday.

The quote is from an individual in the Premier's office: "It is not the way we do things in the Liberal government." That is a good one. He is also saying this is a very serious matter. The minister here this afternoon is trying to just shrug this off: "This is not a serious matter." Indeed, members on this side of the House think it is, and it also reflects very seriously on the minister, his competence and the operations of his office.

I want to share the view of the opposition leader in calling upon the minister and his colleagues in government to give this matter a full public hearing before a committee of this Legislature. Why is he not prepared to do that?

Hon Mr Elston: If I might continue to reply to the honourable gentleman, there is, in my view, nothing in the sense of being hidden. There is nothing to hide. I have told the

members of the Legislature that the call was made but that there was not an intention to apply pressure. In fact, we were looking to find out exactly what was happening inside that organization, and that does not bear out the contention of the member for Leeds-Grenville or of the member for York South that there is such a cozy relationship. In fact, what we are trying to do as an organization, as a government, is to find out exactly what is happening inside the insurance companies so that we can determine how to best protect the consumers of the province. We will continue to communicate with people who we think can provide us with assistance in coming up with the best package of insurance for the consumers.

I have told my executive assistant, however, in this case, that it has left an impression with Mr Star, who is the president of Kingsway, that there was some pressure being exerted and I have told him that I did not find that acceptable behaviour—that is where the reprimand comes in—and that he had better not leave any impression whatsoever. If he must start every phone call by saying, "I am not putting any pressure on people" or whatever, then he is to do it, but there will be no pressure exerted through his telephone calls and that should not occur again.

I am now satisfied that it puts an end to this issue, that it puts an end to any concern they ought to have about my executive assistant, whose morals and ethics I have quite a high regard for in the sense that he is a very honourable individual. But the people over there are trying to create a misimpression of this individual's integrity, and I am concerned that they wish to do that in this particular forum.

### **EDUCATION FINANCING**

Mr D. S. Cooke: I have a question for the provincial Treasurer. It is concerning the massive shift of taxation from his level of government to municipalities that has been occurring since he has been the Treasurer of this province. In 1984 the provincial government covered 47.8 per cent of the cost of education in this province; after the announcement on Friday the government will be covering 40.8 per cent of the cost of education at the elementary and secondary levels in this province. How can the Treasurer possibly justify this massive shift to property tax—an unfair, regressive tax—when it was his government, his party, that promised that it would be raising the rate of grants to 60 per cent for education in this province?

Hon R. F. Nixon: The honourable member, who is a fair-minded member indeed, would want to add to the knowledge of the members who might not be aware of it that the increase for school boards this year was just about eight per cent. It really means that it is, in absolute dollars, one of the largest additional funds for educational purposes that I have had the honour to announce to the Legislature.

The fact that the school boards have an independent responsibility to fund education as they see fit means that they go forward with decisions relating to school costs at the local level. The fact that this increase is more rapid than the increase of our expenditure, even though our transfers are at eight per cent, is not in my control.

Mr D. S. Cooke: There are things that are under the Treasurer's control. The arguments he uses are absolute nonsense. They are not the kinds of arguments he used when he was in opposition and used to say that the other party should be bringing in a 60 per cent rate of grant for secondary and elementary.

The 8.7 per cent that the Minister of Education announced on Friday, all of it but 2.5 per cent, was for new initiatives that the government initiated, not the school boards. That means there is going to be another transfer of costs, where educational property taxes will be going up 14 and 15 per cent across this province.

The Treasurer criticizes the Mulroney government for shifting responsibilities on him, and he does it exactly the same way, except the only response the school boards have in this province is to raise property taxes, which hurts low-income families the most, as the Treasurer knows.

### The Deputy Speaker: The supplementary?

**Mr D. S. Cooke:** Is the Treasurer going to promise again in the next provincial election a 60 per cent rate of grant, and is that promise going to be as good as the ones he made in the last two elections?

Hon R. F. Nixon: I think the honourable member was accusing me of speaking nonsense, since I used to say the same things that he is saying at the present time. Surely it is nonsense to suggest that a per capita funding rate of over \$6,000 per student is inadequate when it is as high as any one would find anyplace in the world. Our funding for education from both levels, the municipal and the provincial levels, really gives us as much money in the public and separate school systems as one will find in any jurisdiction. I think that school boards and the Ministry of Education should be quite proud of this.

The honourable member knows that when we took office just five years ago, the support for capital, for example, was about \$74 million a year; this year the honourable Minister of Education has announced \$300 million. So I would suggest to the honourable member, if there is any nonsense in this debate, it is not on the side of the government.

### HOSPITAL FINANCING

Mr J. M. Johnson: My question is for the Minister of Health. Dr James Murray, chairman of the board of trustees of St Joseph's Hospital in Guelph, is distressed and angered by the Ministry of Health's decision to change the direction of its 1987 plans for hospital redevelopment in Guelph. Dr Murray is concerned not only about the delay that will result but about the additional capital costs of this new project. Will the minister guarantee that this new hospital complex can be built with the same capital commitment of \$58.6 million from her ministry and within the time frame projected for the 1987 plan?

Hon Mrs Caplan: I am very aware of the issue that the member raises and want to assure him that the member for Guelph has in fact been an excellent advocate on behalf of meeting the needs of the community. I want to say to him as well that the ministry will keep its financial commitment to meet the health needs of the city of Guelph and that we believe that by working together we can do that within the financial commitment that has been made.

Mr J. M. Johnson: The citizens of Guelph and Wellington will not be deceived again. In the words of Dr James Murray, the delay is "intolerable to the trustees of St Joseph's Hospital without an immediate assurance from you that the physical infrastructure of that facility will be brought up to the required safety standards. Assurance on a more realistic capital cost allocation from the ministry is also needed." Will the minister now provide the House with those assurances?

Hon Mrs Caplan: I can say to the member opposite that our capital planning framework in fact addresses the very con-

cerns that the member raises as a priority. Infrastructure renewal, health and occupational safety issues, and the convenience of both the staff and the patients is a priority.

I would say to him as well that we are committed to seeing the development of an acute care facility for the city of Guelph. We will be establishing two committees which will expedite the necessary planning. One group will deal with the planning in hospital services, the other with the governance and the organization of a health system for the city of Guelph.

We are committed as well to the development of a state-ofthe-art long-term care system within the province and see this as an opportunity for the city of Guelph in fact to be a model hospital centre and a model community when it develops an appropriate network and system of services within its community.

1430

### **HEALTH PROFESSIONS**

**Mr Neumann:** My question too is for the Minister of Health. The minister is certainly aware of the far-reaching work that has gone on with the health professions legislation review. Draft legislation was proposed last year, and she has been consulting with a number of groups.

I too have had groups from our community and across the province mention to me their concerns about some of this legislation, and some of them are anxious for it to get on: the Ontario Dental Hygienists' Association, the Ontario Naturopathic Association. My colleague the member for Kenora mentioned to me that he recently met with health care professionals and volunteers in Dryden. What they would like to know is, when will the minister complete the legislation and introduce it into the House?

Hon Mrs Caplan: I want to thank the member for both his question and his interest in this very important package of legislation. As he knows, the health professions legislation review began some seven years ago. I hope this spring, in fact, to be tabling a package of framework for the self-regulation and the self-governance of some 24 professions in the province of Ontario. I have met with all of those professions which are included in the legislation, and I must say to the member that there is a remarkable consensus that the time is appropriate for this package to be tabled in the Legislature for discussion and I hope that that will occur this spring.

Mr Neumann: One of the recommendations dealt with deregulation of some professions. There seems to be an ongoing concern that if this recommendation is approved, how will this affect the average citizen? Will they still be able to meet with the deregulated professions? This is an example of ongoing concerns which might continue despite the introduction—

The Deputy Speaker: The question has been asked.

Mr Neumann: I would like to ask the minister about that and whether or not, once the legislation is tabled, citizens will continue with the opportunity to have input.

Hon Mrs Caplan: As in any package of new legislation and proposal for a new framework, there are always questions and concerns. Over the past seven years since this discussion began, most of the discussions in fact have been between the professions. I would commit myself today to the honourable member that we would seek full public hearings after second reading to ensure that all of those concerns can be addressed.

289

I would say specifically that I met recently with some clergymen who expressed the concerns that the honourable member addressed, and I would say to him, as I said to them, that there was no intention to in any way impact on the important work of the clergymen of this province and that during the hearings process I think that amendments can be forthcoming which will address all of their concerns.

### ELECTRICITY DEMAND AND SUPPLY

Mr Charlton: In the absence of the Minister of Energy, I would like to address my question to the Premier. Ontario Hydro has been touting its demand management and energy-efficiency programs as the most aggressive on the continent. As a matter of fact, in response to a question which I raised on 20 December, the Premier himself said, "I am told that this is the most ambitious conservation program by any utility in North America."

Perhaps the Premier could tell us: When Ontario Hydro, or any other crown agency, for that matter, boasts in that way, who over there does any checking to ensure that that kind of boast is in fact valid and worth repeating on the part of the government?

Hon Mr Peterson: It is all there for the public to see. I am sure my honourable friend, with his very large research budget, would want to look into the matter. It has been reviewed before committees here, and he may have some information to bring to bear on the subject. There are no secrets about this. It is all there for everyone to see.

Mr Charlton: It may be all there for everyone to see, but it is obvious the Premier and his staff and the staff of the Minister of Energy have not done very much checking or they would not bother to repeat this kind of incorrect information.

Hydro not only does not have the best energy-efficiency program of any utility on the continent, but it is not even close to the best. A small utility in Maine, Central Maine Power Co, a utility less than a tenth the size of Ontario Hydro, in 1990 is spending more than twice what Ontario Hydro has budgeted for energy efficiency—

The Deputy Speaker: Supplementary?

Mr Charlton: When are the Premier and the Minister of Energy and the bureaucrats over there going to get on top of Ontario Hydro to ensure that what they have said will happen in this review in fact happens, that all of the facts and all of the alternatives are clearly looked at?

**Hon Mr Peterson:** I am just going by memory, but I think part of the demand/supply options study is to squeeze 4,000 megawatts out of current uses. It is a very aggressive program.

My honourable friend equates results to spending. That is one of the structural problems of the New Democratic Party. They do not understand how the real world works. He has got every right to say that, but if he has information to bring to bear, or any constructive suggestions, I will certainly pass them along.

### ONTARIO HYDRO LABOUR DISPUTE

Mr Cureatz: I have a question to the Minister of Correctional Services, but while I have 15 seconds, I would like to congratulate the Minister of Energy, who is not here, but also the Minister of Labour and the Premier for averting what could have been a very serious Hydro strike. As critic of the Minister of Energy, I have been very critical of this administration, but it does not embarrass me from time to time to throw out a few little laurels.

The Deputy Speaker: The question?

### CORRECTIONAL FACILITIES

Mr Cureatz: To the Minister of Correctional Services, I want to indicate to him that, as he well knows—

Interjections.

2 APRIL 1990

The Deputy Speaker: Order, please.

Mr Cureatz: —in the facilities of the Don Jail, Metro east, Metro west and in my region of Durham in the Whitby Jail, there has been extensive overcrowding of inmates, which has put a great deal of mental pressure on not only the correctional staff but on those inmates in those institutions when overcrowding occurs.

We have seen recently what has happened in Europe in terms of the intense frustrations that can result from overcrowding. I realize this cannot be resolved on an immediate basis, but would the minister again share with us some of his thoughts about the progress he is making on trying to alleviate the serious overcrowding situations that are taking place in our correctional institutions?

Hon Mr Patten: I appreciate the question from my flamboyant, generous critic, who is one of the few to offer congratulatory comments to others. We appreciate that.

In terms of the population pressures that we have in our particular ministry, it is well known. We have talked about this and debated it. The member will recall some of the announcements I made in late October related to our intentions, and more recently some specific announcements on adding beds, particularly in the Metro Toronto area, that we believe will go a long way to help relieve some of the overcapacity pressures that we have. There is a whole series of approaches that we have in terms of transferring people on remand, for example, or intermittence on the weekend, where we receive abnormal numbers from the police forces that bring some of these persons who are charged into our care.

More particularly, the member mentions that I have been touring these facilities. I have visited well over 60 per cent of the institutions to this point, and I think it is important to note that it is not a universal pressure across the province. It is of particular concern here and we are taking a number of measures to address those.

Mr Cureatz: I would appreciate it if the minister could inform us whether he has had the opportunity of visiting the Whitby Jail. My colleague from Oshawa and I had the opportunity three weeks ago of visiting the institution for almost a full day. I can assure the minister that in terms of present-day institutions, in regard to rehabilitation, the place is extremely archaic. It is antiquated.

There are some funds, as we were told, that will be spent in terms of making the facilities a little more pleasant, if that is possible, for the correctional officers, but I had the opportunity of reviewing in great detail some of the problems encountered by the Whitby Jail, and I am going to be pursuing this with the minister over the next few months—

The Deputy Speaker: Supplementary?

Mr Cureatz: Will he investigate the possibilities of selling that institution, which is now located on a prime piece of real estate land in the town of Whitby? With the funds garnered, he could build a new, up-to-date institution down the road on property owned by the government of Ontario, some 100 acres at the Whitby Psychiatric Hospital. With the new institution, we

could be striving for something called rehabilitation to ensure that we do not have repetitiveness in terms of inmates who are coming in constantly and causing the overcrowded conditions in, among other places, the Whitby Jail.

### 1440

Hon Mr Patten: I would welcome at any time particular proposals that the member for Durham East has, or perhaps members of his constituency or any other, that can make a contribution to the continual upgrading. I know that the member indeed does appreciate that over 50 per cent of our institutions are very, very old institutions. He well knows as well that we have made major capital allocations to this particular area, and it does not take much to eat up tens of millions of dollars for expansion or renovations.

I would like to point out to him that in the Whitby Jail we have made some staff additions, and I believe he knows about this. We are also refurbishing the administrative portion, where staff are far too crowded in their operations. What that will mean is that there will be an addition of some program space for the inmates in that institution, which will help to provide a little bit more elbow room in the institution. At this particular point, I do not have a date for some additional expansion space for more beds, although it is part of our longer-range plan.

### CAPITAL FUNDING FOR SCHOOLS

Miss Roberts: My question is to the Minister of Education. Since 1985, \$265,000 have been spent on roof repairs, boiler breakdowns, leaking pipes at St Joseph's High School in the Elgin riding. A large portion of this school was built before the turn of the century. There are many problems being faced with this building, overcrowding being one of them.

With these problems and the fact that St Joe's is the only Roman Catholic high school in my riding, the Ministry of Education granted \$200,000 for site acquisition for this new Roman Catholic school in 1989. Taxpayers are now awaiting capital allocations from the ministry to build. My question is, when and what response can the Elgin County Roman Catholic Separate School Board expect from the ministry regarding capital funding for 1990 and 1991?

Hon Mr Conway: The honourable member makes a very good point, as many other members, including the member for Sarnia, have made representations on behalf of school boards with older facilities, facilities that did not seem to get much attention from a previous administration, but this government over the last few years has been dedicating very considerable additional dollars, not just to build new facilities in growth areas but to improve or replace facilities such as the one the honourable member has raised.

I can assure her that the fact that an initial allocation for a new site was approved by my predecessor, the member for Wentworth North, in recent times is a very encouraging sign. We are looking at the most recent capital requests from school boards, and I can assure the member that later this spring I hope to be in a position to announce some additional capital allocations for school boards across the province.

Miss Roberts: I heard the minister say that he hopes some time later this spring. The school board is now trying to find space for the new pupils that it is gathering as a result of looking forward to a new high school being built. They are having to rent church basements to find new spaces. When will the allocations be ready? How much later this spring?

Hon Mr Conway: It is a good question, because the member, I want it said, has made very vigorous representations on behalf of both her school boards, and I commend her for that. I believe there was a meeting involving her office and mine on these matters a few weeks ago, and I expect that, hopefully later this month, I will be in a better position to speak to the capital pressures, which are very considerable.

I think it has to be observed that as our allocations have increased to three and four times what they were four and five years ago, the requests out there from school boards have also increased by the same factor.

I have heard what she said. I will do the very best I can, but I have to tell her and her community that there is a tremendous demand for what is unfortunately a limited supply of public dollars.

**Mr Wildman:** If the minister takes as long to make up his mind as to when he is going to answer as he does to answer, it is no wonder we are having to wait.

### WINE INDUSTRY

Mr Wildman: I wonder if I could ask a question of the Minister of Agriculture and Food regarding the grape and wine industry adjustment program. In the name of fairness, could the minister explain why the provincial government is not prepared to accept the approach of the federal government? The federal government has agreed to review the entitlement of the group of grape growers that has been denied eligibility for the program on the basis of arbitrary retroactive dates. The federal government is prepared to accept an independent tribunal to make the final decision. It is such an equitable approach; why is the provincial government not prepared to take the same approach?

Hon Mr Ramsay: I am happy to have the opportunity to inform the member that he is misinformed on this and that the federal government has agreed that we use the Office of the Ombudsman of Ontario, the offices that any Ontarian can go to to redress what he may perceive as being a grievance against the government. The federal government agrees with our department that going to the Ombudsman to take a look at this particular grievance would be the correct course of action.

**Mr Kormos:** I have a supplementary. The problem is that the grape growers of Niagara have been shafted again and again and again, and now the screw is finally being put to them by the provincial Minister of Agriculture and Food.

The fact is that he is wrong about what the federal government is prepared to do. The fact is that the provincial government is refusing to live up to its obligations under the grape acreage reduction program. This provincial government, notwithstanding that the grape growers, who have worked long and hard in their fields, are prepared to go to alternative dispute resolution, is saying no.

Perhaps the Minister of Agriculture and Food should consult with the Attorney General and understand that this government is displaying a commitment to alternative dispute resolution that the minister denies to those grape growers of the Niagara Peninsula, who will be forced off their farms. Why will he not permit them to use alternative dispute resolution? Why is he forcing them into litigation?

Hon Mr Ramsay: I would like to inform the member that this government does not shrink in its responsibilities, especially towards tender fruit and grapes, and I would like to inform the member that we have entered, as the member knows, into a tripartite agreement and \$39 million have been spent on the

2 APRIL 1990 291

grape producers in the Niagara area; \$17.5 million came from our ministry. Nearly \$31 million has gone to growers as part of our acreage reduction program. I think the grape growers have been well served down there. They have a dispute on how the program was designed, and I think that the Ombudsman's Office would be the appropriate place to take that dispute to.

### HIGH TECHNOLOGY

Mr Sterling: As the Premier may know, there are some problems with the high-technology industry in the Ottawa-Carleton area. Representing the city of Kanata, I have a very high interest in that whole area. What is the Premier doing to address the problem where there are some layoffs occurring in the area and the stock prices for high-tech companies are falling? What is the government doing to address the problem?

Hon Mr Peterson: I know if my honourable friend thinks through his question, he will realize that no government controls stock prices, and I cannot expect that he honestly would believe that a government should be involved in manipulating stock prices for any company, let alone high technology.

Let me just take the member back though a moment. I think that if my honourable friend was fair in analysing the things this government has done, there is no government in this country that has given more support in the high-technology area. It has been a fundamental part of our agenda. The Premier's Council, the centres of excellence and the technology funds were heralded, indeed plagiarized, by other governments in this country to try to get the industry moving. I could give my friend endless details of that if he would so choose, but I think that if my honourable friend is truly interested in this subject, as he appears to be, then he would want to study the actions of the government so he could explain them. He would be very proud of what is happening.

### 1450

Mr Sterling: I think the Premier does me a disservice to indicate that in some ways I was thinking that he should manipulate the stock market. Of course what I meant by that, as everybody else knows, is that the stock market falls when profits fall within that industry and it is a general indication of an ailment.

Denzil Doyle, who is a consultant in the area and a former president of Digital Equipment of Canada Ltd, said that the main problem is a difficulty in financing new businesses. What we need is some good, hard-nosed money in the Ottawa area. In that the government is competing in the new global economy, and that six of the 12 recommendations went to the financing of new high-tech businesses, when is the Premier going to take some action on those particular recommendations?

**Hon Mr Peterson:** Again, I do not want to be unkind to my friend, but where has he been in the last three years? He is not familiar—we today have the most attractive rates.

Mr Sterling: Have you read them?

Hon Mr Peterson: I have read them and we have implemented them. The member is not familiar with this. Let me just take a moment to help out my friend. He should look at the capital cost allowance that has been brought in by the Treasurer. He should look at the research-and-development superallowance that was brought in in the last budget.

I know my friend does not know this, or he would not ask me this question because he would not want to display his lack of knowledge about a very important area in his own constituency. We have the most attractive rates for new manufacturing investment in this country today, and better than a lot of our competitors in other states. This is because of direct initiatives of this Treasurer that have gone on following the reports of the Premier's Council.

I think my friend would want to do his research, look at the recommendations of the Premier's Council and see how they have indeed been important in formulating government policy. These are subjects I have spoken on many times. My honourable friend knows of our deficit in the high-technology area. We are importing roughly \$8 billion in high-technology goods today. One can make the simple argument that we are exporting yesterday's technology and importing tomorrow's. We have a structural problem in this country. Our initiative of \$1 billion through the Premier's Council is probably the most important shot in the arm that this country has had in this particular area.

The Deputy Speaker: Thank you.

Hon Mr Peterson: What I think the member might want to do, because I know he is very close to the federal Conservatives and the federal government—I know he supports all their policies—is look at what they have done and the promises made there as opposed to the performance delivered, because I think Mr Doyle understands even better than my honourable friend—

The Deputy Speaker: Thank you.

### ACCESS TO PROFESSIONS AND TRADES

Mrs E. J. Smith: My question is for the Minister of Citizenship. I would like to inquire of the minister regarding a particular problem that I often see in my constituency office and that I am sure other people see in their offices too.

Several people who come to my office are recent immigrants from other countries. They have brought with them to our country training in their own trades and professions. They have the certificates and degrees that prove their abilities and their expertise in these areas. They come to our province, which needs these abilities and this expertise, but find that their degrees or certificates are in no way recognized. This puts them in a very difficult position, not only of not being able to contribute, but not being able to properly support their families. What is the ministry hoping to do about this?

**Hon Mr Wong:** I would like to thank the honourable member for her genuine interest on the subject of accessibility to professions and trades in Ontario on the part of foreign-trained individuals.

The problem, I believe, is magnified when we appreciate that studies have been done in the United States and in the United Kingdom which indicate that up to six to eight per cent of a country's gross national product might be lost due to discriminatory employment practices. As a result, this government saw early on the priority of tearing down the barriers to ensure access to people regardless of racial or cultural backgrounds or where they studied.

What is important here is that the task force report, which I tabled late in 1989, had 104 recommendations and the government is currently focused on implementation, determining the most effective way of implementing some or all of these recommendations so that people who are foreign-trained, who have the ability and who are qualified can have easy access, like every other Ontarian.

Mrs E. J. Smith: For many of the people I see, who are supporting families and trying to plan their lives, it is a matter of time—to know how to plan the weeks and months ahead. This is now the beginning of April. Is there any hope that any of these people will find a more rich and ready climate by the fall of this year?

Hon Mr Wong: With respect to the specifics, the Ministry of Citizenship is currently co-ordinating a nine-member interministerial working group which is focused on how best to implement some or all of these recommendations, most of which pertain to the provincial government. In addition, we have sent out over 700 letters to specific stakeholders to make sure that we get their input on the best way of implementing these recommendations. Further, I hope to be visiting a number of cities across Ontario in order to discuss once again with the various stakeholders the best ways to implement the themes and initiatives that were proposed by the task force to the government.

So in the end analysis, let me say to the honourable member that by the fall, hopefully, we will have an effective working paper or plan that will discuss how this can be implemented, not only by the government but also by the professions and trades and other people who can help make this work.

### **INQUESTS**

Mr Mackenzie: I have a question for the Solicitor General. On 8 November 1988 Mr G. Mertins was fatally injured at the Campbell Red Lake mine. Can the minister tell this House why an inquest was just recently ordered after a further death in this mine, on 6 February?

**Hon Mr Offer:** In response to the particular question, I cannot be specific in dealing with the particular matter. For that, I will certainly undertake to provide further information.

In dealing with the whole question of inquests in general, I would like to indicate that under the Coroners Act it is the responsibility of coroners to call inquests when they want to investigate matters around the death of an individual, to deal with the who, what, when and where of any one particular incident. In dealing with the actual calling of an inquest, they want to make certain that any potential investigation has been completed. When an investigation has been fully completed, that is when the coroner, in the usual case, makes his decision.

Dealing with the particular question which the member has brought forward, being specific as to one particular inquest, certainly I will undertake to get specific information on that. But in dealing generally with the whole calling of inquests, that is a matter for the local coroner to determine. He makes that determination in dealing with the actual questions as to whether it is necessary, dealing with the who, what, when and where of any one particular incident and that the investigation has been fully completed.

Mr Mackenzie: Surely the responsible minister is aware that the law calls for an inquest in all mining fatalities. Is this minister prepared to order an inquest into individual industrial fatalities as well and ensure, whether it is workers in mining or in industry, that they do not have to wait over 17 months, as occurred in this case, for an inquest which might very well have provided answers that would have prevented the death of Mr Barnhardt in February of this year in the same mine?

**Hon Mr Offer:** Let us be perfectly clear that I am aware of the provisions under the Coroners Act. I am also aware, and the member will be aware, that in some instances the calling of an

inquest is an automatic type of call but the actual holding of the inquest is not, under the Coroners Act. That can only take place afer a full investigation has been completed. I would expect that in this case that is the situation. As such, an inquest has been properly and accordingly called.

### CLOSING OF CAMPGROUNDS

Mr Runciman: My question is for the Minister of Tourism and it has to do with the decision by the St Lawrence Parks Commission to close a number of camping grounds along the St Lawrence system. I am sure he is aware that the commission announced this decision as a fait accompli. There was no effort to talk to municipalities in the region to discuss the possibility of closure and other ways and means of perhaps making the commission's operations more efficient. In fact, the municipalities and the people who have utilized these campgrounds for a number of years have been told this is what is going to happen.

I am wondering if the minister has been made aware of this, if he supports the decision by the St Lawrence Parks Commission, or if he is prepared to review it to see if indeed we cannot have those parks open this year and carry on with some sort of public discussion to see if there are not other answers out there available.

### 1500

**Hon Mr Black:** The member is quite correct in saying that the St Lawrence Parks Commission did in fact make a decision to reduce the operation of a certain number of campgrounds along the St Lawrence this year.

I would first of all tell the member—he is well aware of this fact—that the St Lawrence Parks Commission is made up of representatives of communities from across eastern Ontario. As such, those people on that commission are well versed in the concerns and the needs of the area.

He would also be aware that the St Lawrence Parks Commission has been the subject of a number of studies by committees of this Legislature. I think the member would be aware of the recommendations of those committees, that it be a cost-effective operation. The fact is that the parks in question have not been drawing large numbers of visitors during the past two or three seasons. In an attempt to make the operation of the St Lawrence Parks Commission more cost-effective—and the member is always concerned about the way in which government dollars are being spent, and I compliment him for that—the decision has been made to try to find ways to make the operation of campgrounds more effective along the St Lawrence.

### MEMBER FOR BEACHES-WOODBINE

**Mr Philip:** On a point of order, Mr Speaker: It is the 72nd birthday of the member for Beaches-Woodbine. I am sure that all members would want to wish her a happy birthday.

[Applause]

The Deputy Speaker: That was under standing order 72, of course.

### TABLING OF INFORMATION

Mr McLean: On a point of personal privilege, Mr Speaker: I have had questions in Orders and Notices since last June for the Minister of Tourism and Recreation. They have not been answered and there are several other questions on the

293

order paper in the same position. Why will the government not complete its business?

The Deputy Speaker: I am sure the minister will take note of that comment, that point.

### **PETITIONS**

### CHILDREN'S SERVICES

**Mr Brandt:** I have a petition signed by approximately 135 residents of Sarnia and area. It is a lengthy petition; I will not read it. It deals with Ontario's Child and Family Services Act and points out concerns that these individuals have with respect to services being provided to children.

### WASTE DISPOSAL

Mr Brandt: Second, I have a petition signed by 50 residents of Sarnia and area. This petition deals with the possibility of Metropolitan Toronto garbage being shipped into the township of Plympton. These residents indicate their opposition to such a proposal.

### EMPLOYER HEALTH TAX

Mr Brandt: Finally, I have a petition signed by approximately 170 residents of Sarnia and area who request that the Employer Health Tax Act be amended to prohibit employers from passing on to employees the costs associated with the implementation of this tax and, further, that any employers who have made deductions from employee paycheques with respect to this matter be required to reimburse such employees.

### INTRODUCTION OF BILL

FLAG DAY, 1990

### JOUR DU DRAPEAU NATIONAL DE 1990

M. Wildman propose la première lecture du projet de loi 128, Loi portant sur le Jour du drapeau national.

Mr Wildman moved first reading of Bill 128, An Act respecting Flag Day.

La motion est adoptée. Motion agreed to.

Mr Wildman: The purpose of the bill is to establish Flag Day as a public holiday to commemorate the national flag of Canada. Flag Day would be observed on the second Monday of February each year. Since this is the 25th anniversary, in 1990, of the choice of the red maple leaf flag as our flag, which represents our commitment to Canada's duality and unity and diversity, we should reaffirm and celebrate this commitment. At a time when the unity of Canada and our constitutional relationships are uncertain, I believe that the acceptance of my proposal for a Flag Day holiday would demonstrate Ontario's commitment to Canada.

### ORDERS OF THE DAY

OPPOSITION DAY

FRENCH-LANGUAGE SERVICES SERVICES EN FRANÇAIS

Mr Brandt moved opposition day motion 1:

That, in the opinion of this House, while reaffirming its support for the provision of French-language services where numbers warrant, while confirming that the French Language Services Act, 1986 was not intended to apply to municipalities,

recognizes the elevated tensions and misunderstandings which have developed over language issues throughout this province, and therefore calls upon the government of Ontario to establish, as soon as possible, an all-party committee of the Legislature to travel across the province to receive public input on the administrative guidelines, regulations, and implementation of the French Language Services Act, 1986 (Bill 8).

M. Brandt propose la motion 1 sur le jour réservé à l'opposition:

Que, de l'avis de cette Chambre, l'Assemblée législative réaffirme son appui à la prestation des services en français là où le nombre le justifie et confirme que la Loi de 1986 sur les services en français ne vise pas les municipalités. Elle reconnaît, par contre, que la question de la langue est à la source de graves tensions et malentendus dans notre province. Par conséquent, l'Assemblée législative demande au gouvernement de l'Ontario de former dans les plus brefs délais un comité mixte de l'Assemblée législative pour sonder l'opinion publique à l'échelle de la province au sujet des directives administratives, des règlements et de l'application de la Loi de 1986 sur les services en français (projet de loi 8).

Mr Eves: It is certainly an honour for me to have the position of leading off in this debate. I consider it to be an extremely important matter in the province of Ontario today. I think that this is a debate where partisan politics have no place, quite frankly. I think that it is an issue that is surely above and beyond partisan politics. I do not think there is any controversy around Bill 8 and the basic principles enunciated by Bill 8, and indeed by governments in the province of Ontario long before there was a French Language Services Act, which, as we all know, came into being in 1986.

Our party has been consistent in its position with respect to this legislation ever since it was passed in 1986. Indeed, the member for Stormont, Dundas and Glengarry is quoted, in a letter of 7 October 1987, as stating that the fears and suspicions surrounding the act's implementation—he stressed the real need for public examination of the French Language Services Act and he expressed the real need for this act to be explained to the people of Ontario and, perhaps more important, for the need of a legislative committee which could examine the government's implementation plan of Bill 8 in light of confusion and concerns which he was hearing by concerned citizens throughout the province of Ontario.

This letter was sent to the Premier of the province of Ontario, as I said, on 7 October 1987. The Premier's reply came forth on 22 December of that year rejecting the idea of a legislative committee dealing with the French Language Services Act. He was quoted, in part, in the letter as saying, "Any misgivings are based on a misunderstanding of the objectives and the impact of the legislation, aided by a deliberate campaign of misinformation by those who are opposed to any reasonable language policy in Ontario." He went on to say that the "act requires careful and sensitive implementation" and that "greater public awareness of the French Language Services Act is the most effective means of combating unwarranted fears about its effects on individuals."

### 1510

I would certainly agree with the last two statements made by the Premier in that letter, the two quotes I have just read. It indeed does require careful and sensitive implementation, and I think greater public awareness is probably one of the most effective means of combating the unwarranted fears and the

misunderstandings that have arisen about the implementation of Bill 8, as it has commonly become known in this province. However, I do not think there can be any doubt that there indeed are some misunderstandings and misgivings about Bill 8, or at least about its implementation by the people of Ontario.

When we have over 50 municipalities in the province of Ontario that have now passed English-only resolutions, as they are commonly referred to by the media and the press, I think we as members, and the government in particular, have not been successful in communicating to the public at large exactly what Bill 8 means and exactly how it is to be implemented throughout the province of Ontario.

I quote the minister responsible for francophone affairs, who is in the assembly this afternoon and for whom, I might add, I have nothing but a great deal of admiration. I quote from an article in the Toronto Star on 10 February this year: "We begin by looking back and saying yes, undoubtedly there were things perhaps we ought to have done,' said Charles Beer, minister for francophone affairs." I quite agree, and I am not saying that in a negative or critical sense, but I am trying to communicate that I feel now that, with the extent of the fears and misunderstandings out there, the only way I can see, as a member of this assembly, to clear up those fears is to hear from members of the public.

Over the last few weeks there has been much debate, there has been much conversation and there has been one meeting that I am aware of among the three leaders and among the three parties. It was hoped that there could be an all-party resolution that was put forward. We have made it known since the beginning—as I have said, since 7 October 1987—that our position in this matter was quite clear.

One of the principles that we feel very strongly about in our party is an all-party committee of the Legislature to hear from the people of Ontario about the concerns that they have with respect to the implementation of this legislation. That is not something that has just come about in the last few days or weeks; it is something that we have been on record about since 7 October 1987. It is something that was confirmed by the minority report or opinion of our party in a committee with respect to this issue in 1989 and it is something that we have consistently spoken in favour of. I would seriously hope that all members of this Legislature, whatever their political stripe, will be voting in favour of this resolution this afternoon.

I do not see anything in this resolution that could possibly be offensive to any member of this assembly. It confirms the principles about French-language services where numbers warrant, the principles that have been in place by various governments in this province for many years. It confirms the fact, which has been misunderstood, that the French Language Services Act, 1986, was never intended to apply to municipalities except on a voluntary basis.

It goes on to emphasize that there have arisen tensions and misunderstandings with respect to the implementation of the legislation. I do not think that is in dispute. How else could over 50 municipalities in the province of Ontario have passed so-called English-only resolutions if there were not some misunderstandings and misgivings about the legislation?

To ask for an all-party committee to travel the province to hear those concerns and to try to explain to the people of the province, perhaps in a more effective way than has been done to date, exactly what this bill is about and exactly how it is to be implemented—I do not see how any member of the assembly could possibly vote against any of those things. We are not asking and we do not presume that this committee would start

to travel immediately. It has been a known practice in this Legislature for many years that select committees of the Legislature only sit and travel when the House is not in session. It is the intention of this resolution.

I have heard there are apparently some concerns by some members of the assembly that this might confuse the Meech Lake issue, which has to be approved by 23 June 1990. That is a red herring if I have ever heard one. This is a very important issue. We are not confusing the two issues. We propose that this committee would travel during the summer months, after 23 June 1990, and anybody who has been around this place knows that that is the practice for select committees of this Legislature, unless agreed upon by all three parties. I say to my friend the honourable Leader of the Opposition, it does not say that it will commence travelling immediately.

Mr B. Rae: That is not what it says. I'll read the words.

Mr Eves: I am sure the leader of the official opposition will have an opportunity and will participate in this debate. I certainly hope that the Premier of the province will be participating in this debate, because I think it is probably one of the most important debates that has taken place in this Legislature in the last period of time.

I certainly hope it is not the intention of any member of this assembly to find some excuse or some fabricated reason for not voting for a resolution which is based on good intent, which has been consistent with what our party has asked for and stood for with respect to French-language services since the act was passed.

This resolution was made on the basis of what our party has enunciated time and time again and it is based on, I think, the principles of French-language services where numbers warrant in the province of Ontario. But there can be no doubt in anybody's mind, I do not think, that there certainly are some misunderstandings and misgivings, and those should be cleared up.

I think the most effective way of clearing them up is to hear from the people, to communicate with the people, to have some dialogue with the people and to try to have this situation where the people of Ontario do indeed understand what Bill 8 says. If there are problems with its implementation, and there undoubtedly are some throughout the province or we would not have the criticisms and the comments that we have had from various parts of the province of Ontario, then those should be dealt with in a positive sense, not in a negative sense, so that we can all continue on with the tradition of which we have been so proud in this province of Ontario in the future.

The Acting Speaker (Mr Breaugh): Just before we continue with the debate, I would remind members that the time has been allocated equally and that the clocks will be kept by the table officers.

Mr Grandmaître: I am pleased to hear the member for Parry Sound saying that his total caucus agrees with Bill 8 and that it wants to reaffirm the position of Bill 8. I am just wondering how come—

Hon Mr Black: All of them?

Mr Eves: All of them.

Mr Grandmaître: All of them? I am pleased to hear this. I have read in the newspaper that the member for Leeds-Grenville wrote to the mayor or the council of Sault Ste Marie congratulating them on their unilingual position. I am very surprised, but I am pleased to speak on the leader of the third

2 APRIL 1990 295

party's motion. The leader of the third party and I have been long-time friends, and I know exactly where he stands, not only on Bill 8 but on French issues, and I want to assure this House that my comments will be non-partisan.

I feel that I have been in court for the last three and a half years. I have fought for Bill 8 and now I am facing the same jurors, the same jury, and I am still pleading not guilty. I do not think it is a crime in this province to speak French and to require French services. Some people have said that it was a crime, but I am here to defend myself and I am here to defend the government I was representing when I was the minister responsible for francophone affairs.

### 1520

I would like to make it very clear what Bill 8 is all about. Bill 8 only contains 17 pages and I would like, with your permission, Mr Speaker, to read its preamble. This is what Bill 8 is all about:

"Whereas the French language is an historic and honoured language in Ontario and recognized by the Constitution as an official language in Canada; and whereas in Ontario the French language is recognized as an official language in the courts and in education; and whereas the Legislative Assembly recognizes the contribution of the cultural heritage of the French-speaking population and wishes to preserve it for future generations; and whereas it is desirable to guarantee the use of the French language in institutions of the Legislature and the government of Ontario, as provided in this act."

I agree with the member from Parry Sound that it excludes municipalities and I have said it on a number of occasions. Yet I remember after second reading some members of this House wanted to include municipalities, but we thought it was so important that the government show leadership and our own committees and our own ministries would lead or would be leaders of Bill 8.

This is why we asked for three years for the implementation of Bill 8. The New Democrats approved or supported us in this approach. Yet members of the Conservative party wanted a two-year implementation program, if I can call it a program. At that time, I was successful in convincing them that a two-year period was too short. But the opposition members at that time were so eager to pass this bill that they wanted this bill to be in place in two years. Something has happened in Ontario, something has happened in Canada, and I do not know why they are changing their minds today.

I am very sorry that the member for Parry Sound is saying, "We all agree with the principle of the bill," yet, "Take it around on a circus throughout the province. Let people bring down their anti-French opposition." I think it is intolerable and I do not know why some members of the third party are acting that way today. Maybe it is to protect their own political future. I really do not know. I cannot answer this.

Mr Speaker, let me remind you, or maybe I do not have to remind you because you may have been part of the history that was made in this House—not in 1968 when Mr Robarts started French services, but the francophone population is very grateful to Mr Robarts because I think in 1968 we were given the opportunity, we were very hopeful that the future governments of this province would react favourably to the needs of francophones.

Judicial and educational services and rights were guaranteed in the days of Mr Robarts and also in the days of Mr Davis. But in the days of Mr Davis these services were really privileges because at that time the government never wanted to enact these services into a law. Thank God that in 1985 a new

government, with the alliance of the New Democratic Party and the Liberals, a real progressive conservative government came into place and a bill was passed in this House. Thank God for 1986.

After many months of thoughtful and careful crafting of this bill, it was introduced in this House for first reading, and I remember at the time that nobody spoke against Bill 8. I remember at second reading nobody spoke against Bill 8. In fact the opposition—both opposition parties—were very helpful in trying to improve the law by introducing amendments. But again I want to emphasize the fact that no one in this House spoke against Bill 8.

In fact we made history. For the first time in the province of Ontario the three leaders—the member for London Centre, the member for York South and I think it was the member for Nipissing at the time who replaced Mr Grossman—spoke French and we made history. Mr Miller also participated in French. So we were making history, and I am very, very proud of those moments.

What Bill 8, as I said, is all about is a recognition of the historical role that francophones have played in this province, and I am very surprised, after three years of implementation—I know that this government, this law, is not perfect; nobody in this House is perfect. I think that Bill 8, after three years of implementation, of going around this province, asking people what they thought of Bill 8, asking municipalities—at that time, as the members know, I was the Minister of Municipal Affairs and I wrote to 839 municipalities in this province, telling them about Bill 8. I have met with AMO, and I must say that municipalities and AMO were very grateful that finally we were recognizing the French factor in the province of Ontario.

But after royal assent to this bill in 1986, a great number of things happened in this province, in Canada. A number of discontented and dissatisfied groups of so-called Canadians went on a campaign of misconceptions and misinterpretation of the law and sowed dissension in this province and right across Canada. Was it because of Bill 178 in the province of Quebec? Was it because of the Official Languages Act of the federal government? Or was it pure intolerance? I do not know.

Many municipalities were led to believe that bilingualism would be imposed on them after November 1989. Bill 8 spells out very clearly that municipalities are excluded but may offer French services through the Municipal Act. But again I do not expect municipal politicians to be perfect; nobody is perfect. They were led to believe a number of falsehoods and today we are faced with a number of criticisms and not only of Bill 8. More intolerance has cropped up against immigrants, visible minorities, our Jewish society and so on, and I am very disturbed about the intolerance that has been shown.

At the time the dissatisfied groups were going around the province trying to influence municipalities that were not in designated areas—I realize that four or five municipalities in designated areas have identified themselves as unilingual, but I am just wondering why these people pick on innocent municipalities. Is it intolerance? I do not know.

The media at that time tried to pursue or challenge these groups to provide them with more facts on their accusations that people were losing their jobs. None of these accusations have ever reached the Office of the Ombudsman of Ontario. I cannot understand why they would not pursue this in front of the Ombudsman because these accusations were very, very serious.

For three years I have received some very nasty letters, but that is understandable, being a minister of the crown. I do not think ministers are immune to criticism.

#### 1530

I must say that I have tried to answer all the accusations of these crimes and that I should move to Quebec where I am from. I am proud to say that I was born in Ontario and I am a Franco-Ontarian. I am a Franco-Ontarian and I am very, very proud. If I have to move to Quebec to speak my language it will be a terrible day for this province and for Canada. Yet a candidate of the Progressive Conservative Party is saying that we should resolve all this intolerance, that francophones should move to Quebec and anglophones should live in the province of Ontario. Now they are saying that they are reaffirming their goodwill and their good intentions towards Bill 8.

I cannot accept this. I think the government has gone a long way to provide francophones and anglophones and members of this House with the opportunity of asking questions in the House. I am willing to answer any question.

Depuis un certain nombre d'années, en Ontario, les francophones, les Franco-Ontariens ont été privilégiés. Les privilèges ont débuté en 1968 lors de la formation d'un nouveau gouvernement sous le guide de M. John Robarts. C'était le début des services en français en Ontario. Ces services se sont maintenus jusqu'en 1971 avec l'arrivée de M. Davis et M. Davis, je dois l'avouer, a voulu continuer le processus qui existait.

Par contre, je dois vous dire que le processus était lent. Les Franco-Ontariens recevaient des services au compte-gouttes, pas tellement souvent, et les services n'étaient pas de grande qualité. On remercie M. Robarts aujourd'hui mais, par contre, on a voulu élargir les cadres de ces services-là. On voulait que la loi ait pour effet d'affermir les politiques existantes dans un cadre législatif et de garantir le droit d'une personne à recevoir des services en français.

Alors, en mai 1986, lors de la première lecture du projet de loi 8, j'étais satisfait de la réaction de la Chambre; personne ne s'est opposé à la loi. À la deuxième lecture, je me souviens que l'ancien député de Cornwall m'avait affirmé et garanti la position du Parti conservateur, et je le crois encore aujourd'hui. Peut-être que ces gens-là étaient plus tolérants à ce moment-là, en 1986. Il y a sûrement des choses qui sont survenues en Ontario et au Canada pour faire changer d'idée de certains députés du Parti conservateur, et je le regrette.

Je crois que nous devons aller de l'avant ; nous devons présenter la vraie image de l'Ontario. Nous voulons, comme Franco-Ontariens, participer au succès de cette province, non seulement du côté culturel, mais aussi du côté économique. Je crois qu'il est grandement temps, et non seulement pour les trois partis en Chambre, que tous les Ontariens prennent conscience une fois pour toutes de l'importance de l'unité d'une province, de l'unité d'un Canada.

Alors, je crois que l'Office des affaires francophones, la Commission des services en français de l'Ontario qui était en place, les sous-ministres qui ont eu la responsabilité d'implanter la Loi 8 ont fait un travail gigantesque et je dois les remercier ; ils ont consacré des heures et des heures à défendre leur position. Je dois aussi féliciter le Secrétariat des ressources humaines de notre province qui a travaillé très étroitement avec la Commission et l'Office des affaires francophones pour présenter la mise en oeuvre d'un plan d'implantation qui serait acceptable.

Je crois que nous avons été généreux et responsables en désignant 6,2 pour cent de nos postes comme postes bilingues. Je crois que, sur un nombre de tout près de 90 000 employés, nous avons été très généreux.

Alors, je vais me rasseoir mais, par contre, j'aimerais garantir que je le fais, non pas parce que je suis entièrement satisfait. Je ne suis pas entièrement satisfait avec ce à quoi nous avons à faire face aujourd'hui avec cette résolution. Je suis satisfait qu'ils réaffirment la Loi 8 ; ça, je l'accepte. Mais, par contre, je ne pense pas que je devrais, trois ans et demi plus tard, me présenter devant la même cour et tenter d'expliquer la position des Franco-Ontariens et encore une fois dire : «Non, nous n'avons rien fait de mal. Nous voulons simplement garantir que notre langue et notre culture soient préservées pour donner l'occasion et la chance à nos futures générations de pratiquer leur langue et de pratiquer leur culture.»

Je sais qu'un bon nombre de personnes voudraient faire des commentaires concernant cette résolution.

So I will conclude by asking myself questions again. Is it intolerance in this province? In 1986 I must say that I was very pleased with the atmosphere of this House. I thought intolerance was behind us. I am finding out in 1989-90, and in 1991, I am sure, we will be faced with intolerance again.

Mr Speaker, on your behalf, I would like to ask every member of this House to please be tolerant not only to francophones but to native people, immigrants, visible minority people and handicapped people. In other words, let's be fair and let's go on with Bill 8.

#### 1540

Mr B. Rae: I realize that other leaders have yet to speak, but I did want to participate in the debate and I did want to partipate early on in order to make it very clear, first of all, that our party will not be supporting this resolution but that we are prepared to discuss other resolutions and we are prepared to discuss with members of the House the need for a continued dialogue.

I see no merit in our ducking this issue. I see no merit in our refusing to recognize that Canada—I will be speaking of Canada as well as of Ontario—is going through some very difficult times. One of the most difficult features of the times we are going through has to do with the growth of linguistic intolerance.

The member for Ottawa East has mentioned and has spoken very eloquently about the nature of the challenges facing the country and facing the province. I do not want to add very much to what he had to say, except that I really do believe that the country's capacity to survive very much depends on our willingness as Canadians to recognize not only the importance of tolerance, but also the importance of our continuing to recognize that this tolerance is not something vague and not simply a feeling, that it is based on our willingness to recognize certain rights and mutual obligations.

Canada has never had an easy existence. Indeed in the province of Upper Canada I would suspect that in the Legislative Assembly, prior to 1867 and certainly after 1867, the question of the relationship between the English-speaking majority and the French-speaking minority has been a subject of debate and discussion within this group, in this House, in this place and in previous places for over 150 years.

I would suggest to members that the debate has certainly not been confined to this place. It has been a debate that has taken place on the street. It has been a debate that has taken place in bars and in taverns, in church halls and in church 2 APRIL 1990 297

basements, in service clubs or in union halls, wherever it is that people have gathered, in eastern Ontario, northern Ontario, southwestern Ontario. This issue, the issue of the relationship between the English-speaking majority and the French-speaking minority, has always been an emotional, difficult question.

I want to go over some ground. I want to remind this House, as the member did earlier on, that we have reached where we are in terms of the provision of French-language services by a series of historic compromises and all-party agreements.

We have had an unhappy history in this province. There was a time when it was illegal to speak French in school. There was an edict brought down by a government—I am not going to get into a partisan game about which government it was or which party it was; that is irrelevant—that said you could not speak French in school. That became a cause célèbre in the Franco-Ontarian community in this province, a sense of outrage and a sense at the same time that this was a historic wrong that had to be erased.

So you have a community in this province that numbers in the hundreds of thousands, which has its own sense of identity, which has created its own schools, which has its own churches and service organizations, which has its own clubs, which has its own sense of itself, which has a stake in several institutions of higher learning in this province, which has contributed an enormous amount to the life of this province.

I am not speaking simply of Canada, but I am saying of Ontario that we have a French-language community in this province without which Ontario would be far poorer, and without which we would not have the rich and diverse place we have, and we should take pride in that.

We have come a distance. There was a time throughout the 1960s and the 1970s when the party in power, the Conservative Party, took steps, and they were significant steps. Premier Robarts took steps. Premier Davis took steps in terms of education, in terms of access to services in the courts and in terms of some administrative changes. He was not willing to confront the laws of the province because that was felt to be too disruptive.

I want to tell members that when I was first elected leader of the party, in the very first conversation I had in Premier Davis's office I said to him: "There are two issues on which you will always find me willing to talk and willing to move ahead together. Those issues are separate education and the future of separate education, and the future of French-language education and French-language services in the province." I said to him: "You can expect from us the toughest, most aggressive public opposition on every issue you want. On those two issues, I don't regard those issues as worthy of partisan debate and you will not find me playing partisan games with those issues." I made that pledge to the Premier of the day eight years ago, I would say. I was elected in February 1982 and it was shortly after that point.

I believe that to be as true today as I believed it then. I believe that it is important for us to recognize that there are some emotions in this province that run so deep that to turn them into partisan issues is an act of public irresponsibility of the highest order. I believed that then; I believe it now.

That does not mean issues cannot be discussed, and I want to make that very clear. I do not think there is anything in this province that should not be subject to a robust discussion, and I do not think governments are perfect with regard to any particular piece of legislation. I do not think we should err and say

that it is taboo to even raise an issue or to discuss an issue if it is a controversial or difficult one.

But I do think that in discussing these things it is a question of how as leaders—all of us are here in some sense as leaders—we choose to discuss them. That is why, when the resolutions began to come with respect to the unilingual declarations from a number of municipalities, our caucus discussed them. I suggested on behalf of our caucus that it would be a good idea if the three party leaders got together and tried to formulate among ourselves a resolution that would reflect the mood of the House, not only with respect to Bill 8 because I do not think this debate is only about Bill 8.

People say, "It's about Bill 8." It is not just about Bill 8. It is a much bigger issue than that. It is in measure about Quebec. It is in measure about Meech Lake. It is in some measure about an identity that people feel they are losing. It is in measure a sense that Canada has changed in ways that a few Canadians—I do not believe very many—find so bewildering that they have to lash out and strike out at every change that they see taking place.

I suggested that not only in public; I suggested it as well in conversation with the leader of the Conservative Party and with the leader of the Liberal Party. When our caucus drafted what a resolution might look like, that resolution was presented by my House leader to the House leaders of the other two parties.

We did not have a meeting until last week. The first time the three leaders of the parties were able to get together was after the first week the House was in session, and members will recall that was the so-called McKenna week with respect to the proposals on Meech Lake. I had some personal problems that were well known in the House in terms of obligations I had to fulfil to members of my family and to friends who tragically died in a car accident. We all attended together the funeral of the member for Ottawa South. In the following week the House was back in session, we were in full gear and it was proposed that we have a meeting last week.

### 1550

That meeting took place at around 5:45 in the evening. I went to that meeting assuming there was going to be a frank discussion among the three leaders about what a joint resolution might look like, what form it would take. As soon as I sat down at that meeting, the leader of the Conservative Party pulled out a piece of paper and said: "This is being deposited in a few moments. This is being debated as an opposition day. This is our position."

I have done a lot of negotiating in my time—some of it successfully, some of it not so successfully—but I have always tried to be very straight when negotiating. My understanding of what that meeting was about was that we were going to discuss, without particular prejudice, without any particular lines being drawn in the sand, where we felt our caucuses were coming from and whether there was any possibility of our finding common ground.

I found that the Conservatives had already taken its position. There was no interest in negotiating anything. There was no concern about what the impact of the resolution might or might not be, whether there might not be another way of expressing a similar view, whether there might not be a slightly different way of expressing it or whether there might be a way of expressing a policy that we could all agree on.

I am not going to attribute any motive. I am only going to say that is not how I do my negotiating or how I expect to be dealt with by other party leaders. I did not appreciate being put

in that particular kind of position and being told by the Conservatives: "There it is. Take it or leave it."

On reflection, our caucus has decided to leave it. The reason is this. First of all, you cannot pass a resolution at this particular time in our history as a country without having some appreciation of where we are and what the impact of this resolution will be, not only on the rest of the province but on the rest of the country.

If the message that comes out of Ontario and this assembly in the very weeks after we have had serious proposals put forward by Mr McKenna, when we are in the middle of an extremely difficult, delicate and enormously important national debate with respect to the unity of the country, if the very first time we get together to discuss the question of the relations between French and English Canadians in Ontario, we say in an offhand way that "while reaffirming its support for the provision of French-language services where numbers warrant, while confirming that the French Language Services Act, 1986 was not intended to apply to municipalities, recognizing the elevated tensions"—and then it says that there should be a committee travelling across the province "as soon as possible," to focus exclusively on complaints about Bill 8—I do not think that is wise. I do not think it is wise for that to be the message coming out of this House on this day, at this point in our history,

Is the very best and the very most we can say about what we have done, "We have done a little bit, but now let's really focus on these problems that people have with Bill 8"? Is that really the best expression of the generosity of the people of Ontario? Is that the extent of our national vision while we are in the middle of a debate about the future of Canada itself? I do not think so. I fail to believe that really is the best we can do.

It is in that spirit that I went into that discussion last week saying, "Let's try to work something out." But that was not the way the third party wanted to do it. They wanted to have the debate exclusively on this subject and they wanted this to have the support of the other two parties. That is what they wanted. I am sorry, that is not the way we intend to play it.

Lest members of the Progressive Conservative Party say, as I am sure they will, that the members of the New Democratic Party are in some sense afraid of public opinion on this issue, let me state clearly and categorically for the record—and I will use it and I hope members of the Conservative Party will use it when they are communing with the people in this regard, if that is what they choose to do—that the New Democratic Party supports entirely the principle that the public of Ontario should be consulted on issues of significance. We believe that the relationship between the English-speaking majority and the French-speaking minority is an issue of public importance, and we believe that consultation should take place. We also believe that the consultation should take place after 23 June.

We also think that the resolution that is passed by this House should be far more generous in its expression of support for the progress that we have made together in the provision of French-language services in Ontario. That is the kind of resolution that we have suggested.

If I may say so, we suggested it, and we suggest it still, in a spirit which is entirely nonpartisan. I frankly do not care if members of the Liberal Party and the Conservative Party get their red pens out and say: "Well, I'd like to change this sentence and I'd like to change that sentence. I'd like to add this paragraph. I'd like to add this sentence." I am quite happy if members of l'Association canadienne-française de l'Ontario and others have a look at the resolution, or members of all kinds

of groups, and say, "Well, we'd like you to think about this and that." I am quite happy to do that because that is the spirit with which I enter this discussion: that this subject is one which needs to be discussed; it is not a narrow subject.

The Supreme Court of Canada, just two weeks ago, came out with an enormously significant decision with respect to the management of education and the rights of the French-language minority to manage education, the implications of section 23 of the Charter of Rights and how those rights are to be made real in the real world of provincial politics and of provincial administration.

The government of the day, it is fair to say, is in a state of some indecision with respect to the impact of that decision on how it is going to proceed. I do not think I am unveiling any terrible weaknesses on the side of the governent when I say that the Supreme Court of Canada's decision faces it with a decision. If I were them, before I entered into any decision with respect to a change in or an expansion of Bill 75—which, for the benefit of those who perhaps are watching or listening, is the bill which deals with the question of the administration of French-language schools—I would suggest it would be in the government's interests, and it is in the public's interests, for us to consult with the public before we proceeded.

Let's also reflect on what the possibilities will be after 23 June. There are, I would suggest, possibly three. One is that Meech Lake is down the tube. The second is that Meech Lake is resolved and is passed. The third is that there is some sort of even more ambiguous possibility that an effort will be made to declare some sections and to move ahead on some ground. I happen to believe that is fraught with even more uncertainty and more problems.

Let me suggest that I am not afraid of turmoil, but I want it to be constructive turmoil. If we are going to get into a period in Canada when we once again begin to discuss the very fundamentals about the partnership between French-speaking Canadians and English-speaking Canadians, let's at least see the kind of progress that we make and the kinds of decisions that we make in Ontario as being part of that debate. They are not happening on the moon. They are happening in the context of a Canada that is very divided at the moment and that we have a responsibility to try to keep together.

There is ambiguity on all sides. I have in front of me here an ad which was taken out by the Ministry of Industry, Trade and Technology which is called "Ontario" which appeared in Business Week on 19 March 1990. I might point out that the title of the cover story is "The Failed Vision." It is not about the Liberal government. However, this ad is about Ontario and is paid for by the government of Ontario. I want the member for Ottawa East to listen to what the Liberal government of the day is describing as the Ontario advantage. "Size: Ontario is as big as Texas, California and New Mexico combined. Proximity: more than half our 9.6 million population lives within 100 miles of the US border. Official language: English. And a fifth of our people speak at least one other language as well. Climate: Yearround, southern Ontario is like Boston or New York."

### 1600

This is an official publication of the government of Ontario. This is an ad declaring that the official language of the government of Ontario is English. It is not just the official language of the government of Ontario; presumably it is the official language of the province. I am not aware that Ontario actually—in a sense, the whole province—has something called an official language. English certainly is the working language of the vast

majority of the citizens of this province. It is now, it has been and it will be in the future. The vast majority of the questions and answers that we ask in this House, the daily language in most workplaces, is English. That is true. In my opinion, that will not change. The notion that English is under some kind of threat in Ontario or that somehow English is in need of official preservation because it is a language of such vulnerability is utter nonsense, and it is time we started to say that it is nonsense that this is the case.

I think the status of English in Ontario is strong enough that it does not need the kind of official promotion that it has received in this piece of Liberal government advertising. Having said that, I would simply say that is the kind of ambiguity that can be cleared up. That is the kind of coming to terms with who we are that needs to be done.

Je veux dire que c'est un temps difficile pour notre province et pour le pays et que nous voulons, franchement, encourager une discussion constructive. Nous avons même, je dirais, comme chef de parti, et comme l'ont tous les chefs politiques de tous les partis, l'obligation d'encourager le sens de débat, débat qui est positif et où les choses sont débattues avec franchise mais, en même temps, de façon positive, tout en clarifiant la situation ; et où on espère que la raison aura toujours la possibilité de s'exprimer, au lieu de, seulement l'émotion négative ou le sentiment d'exclusivité.

C'est pourquoi nous avons proposé une résolution qui dit clairement que nous reconnaissons le fait que nous sommes au milieu d'un débat difficile et constitutionnel. Oui, on se lève le matin et on se rend compte que oui, on n'est pas sur la lune; on n'est pas n'importe où. Les résolutions qui seront passées ici auront un impact sur le reste du pays.

En même temps, nous disons que nous reconnaissons, avec bonne volonté, le fait que la dualité linguistique est une réalité du pays canadien. En même temps, nous insistons sur le fait que nous avons réalisé des progrès en éprouvant le sens de compromis entre les trois partis et en réalisant un consensus profond entre les trois partis.

En même temps, nous reconnaissons qu'après le 23 juin, qui est, comme le savent les députés, le jour magique pour l'accord du Lac Meech, le comité spécial de la réforme constitutionnelle de notre province aura non seulement l'occasion, mais l'obligation de discuter non seulement de la question des services, non seulement de la question de la Loi 8, mais de questions beaucoup plus larges que celles-là, comme la question des relations entre la majorité et la minorité en ce qui concerne l'éducation et aussi la question des services. Ce ne sera pas une question facile mais ce débat est nécessaire. C'est une discussion nécessaire que nous ne pouvons pas éviter. Je dirais que c'est une mauvaise idée de l'éviter.

C'est pourquoi nous disons que non, nous n'allons pas appuyer la motion des conservateurs, mais que oui, nous avons une motion de notre part que nous allons proposer à la Chambre un autre jour.

J'espère que les autres partis, naturellement, pourront appuyer cette résolution comme une résolution qui reflète beaucoup mieux, je crois, que la motion des conservateurs le vrai sens de cette Chambre et le vrai sens de cette province face à ce problème historique et à cette réalité historique de notre province, la dualité linguistique et les tensions que, de temps en temps, nous voyons dans les communautés à cause de cette realité.

There is no such thing as an ethnically homogeneous country in the world. There is no such thing as a linguistically homogeneous country anywhere. Canada will never be and can

never be a linguistically homogeneous place, a place where only one language is spoken, a place where only one language is official. The idea that one could ever have such a Canada is simply absurd. It requires that we make a desert of every difference, every variety and everything that gives us personality and gives us identity. It is an absurd notion.

I would say that with respect to Ontario, we are making progress in terms of recognizing the extraordinary diversity that is in the province. One important aspect of this diversity is the fact that the French-language minority in Canada has a strong presence in Ontario. I believe that the laws of Ontario properly should reflect that. That is why I supported Bill 8 and that is why our caucus supported it. We supported it as an expression of the fact that to preserve the rights of a minority and to recognize those rights in terms of access to services is important to do.

So I say to members—and I have taken a little longer than I perhaps had intended, but I hope I have the indulgence of my caucus and the House in doing so—that we enter into this debate in a spirit of wanting to find some common ground. I am sorry that there were such significant misunderstandings, apparently, in terms of what the purposes of last week were all about, that we were not able to find that common ground. In effect, we are now doing our negotiating in public. That is not such a bad thing, perhaps, after all.

I will simply say to the Conservatives that their draft, in my view, does not reflect the very best this House can do. I would say to the Liberal Party that it is important for there to be a draft, for there to be an expression of the will of the House. I think it is important for us to continue to make efforts to do that, so I would see the defeat of this resolution and perhaps the acceptance of another one as the way in which we should go as a positive step, as a constructive step and as one which I hope we would have the support of the House in so doing.

Mr Villeneuve: Thank you for the opportunity of participating in this very important debate, a debate that I believe has been just too long coming. We have a situation here where the province is very confused as to what is happening in the implementation of Bill 8. I appreciate where some people are coming from, but some people are genuinely concerned and confused as to what exactly is happening.

I am to some degree disappointed to hear the Leader of the Opposition with a great impassioned speech. I believe I saw a copy of his resolution, and if it is not a mirror of this one, it is very close. As members know, this Legislature sits until the end of June. There are no travelling committees until that time unless there is unanimous agreement throughout, so in timing we are talking basically the same time frame.

#### 1610

I want to emphasize, my friend from Ottawa East claims that he is now being subjected to being put back on the hot seat, back into the trial and being judged. That is not the case at all. The confusion that has been experienced by municipalities, by school boards, by operations such as Ontario Hydro, liquor control boards, hospitals, must be straightened up.

As a matter of fact, some of my colleagues have spoken to some municipal officials who are toying or even almost decided to go ahead and declare themselves officially unilingual. My colleagues have told them: "Hold off, please. We will be providing some leadership from Queen's Park." This is where the leadership, I believe, begins.

I had occasion to write to the Premier in October 1987, and I requested, in order to clarify the implementation of Bill 8 to

the residents of Ontario, and in particular to the residents of the great riding of Stormont, Dundas and Glengarry and East Grenville, exactly what would be happening. In reply to my letter, the Premier—and I will quote in part. I am not going to read the whole thing, because time is of essence, but in part our Premier says:

"I agree that greater public awareness of the French Language Services Act is the most effective means of combating unwarranted fears about its effects on individuals. The work of the Office of Francophone Affairs and the contributions of all members of the Legislature should go a long way in achieving that objective."

The Premier continues:

"I do not feel that the creation of a Legislative committee on this matter would substantially contribute to the end we all seek. The examination in committee of estimates of the minister responsible for francophone affairs will permit members to fully examine the methods of implementing the act and the progress which ministries have done to date."

I could go on. However, the gist of the letter is that the Premier and his government—I presume he was speaking for all of the people who had been elected in September 1987—will allow the bureaucrats to disseminate all of the information, and hopefully people will understand.

Well, it is two and a half years later and we have a lot of misunderstanding, and that is the reason why I say it has been too long in coming to have a committee to look at the implementation of Bill 8.

I want to read into the record the resolution, en français, s'il vous plaît.

Que, de l'avis de cette Chambre, l'Assemblée législative réaffirme son appui à la prestation des services en français là où le nombre le justifie et confirme que la Loi de 1986 sur les services en français ne vise pas les municipalités. Elle reconnaît, par contre, que la question de la langue est à la source de graves tensions et malentendus dans notre province. Par conséquent, l'Assemblée législative demande au gouvernement de l'Ontario de former dans les plus brefs délais un comité mixte de l'Assemblée législative pour sonder l'opinion publique à l'échelle de la province au sujet des directives administratives, des règlements et de l'application de la Loi de 1986 sur les services en français (projet de loi 8).

Alors, quand on se fait accuser d'avoir reculé, j'ai de la difficulté à accepter n'importe laquelle de ces accusations-là pour la simple raison que nous voulons éclaircir l'air. C'est tout simplement un fait, que nous voulons renseigner le public ontarien, les municipalités, les commissions scolaires, les employés dans les hôpitaux, en fin de compte, la fonction publique en entier. Nous avons beaucoup de questions auxquelles nous n'avons pas eu de réponses.

This debate is about equity, about being fair to the minority and being fair to the majority.

I will cite an example that was experienced in Glengarry county, and after a number of consultations—and we did meet with the Minister of Agriculture and Food; it pertains to a position of agricultural representative in the county of Glengarry—the minister told us that he had no control over the way this position was advertised and there was a wrong message being given out within this advertisement.

This advertisement, and I will not quote the whole thing, said, "Job qualifications include advanced oral and superior written French language skills, good command of the English language." You read that and, literally, there is a wrong message that is being extended to the public there.

As a matter of fact, I spoke to my federal colleague the honourable Don Boudria, who represents part of that county, and he advised me that, from simply reading it and not looking into it any deeper, he would probably qualify on the Englishlanguage requirement but was highly doubtful that he would qualify under the French-language requirements. That was strange, coming from my colleague, and I know where he is coming from.

That prompted a meeting, and we did obtain a meeting with someone from the Premier's office. They admitted readily that there had been, across the province of Ontario, in advertisement for bilingual positions, a wrong message.

If we had had a committee in place, one very similar to what we are considering here today in this Legislature—and I do not blame the minister. I do not blame the previous minister. There was no message sent, and whenever the people started taking the ball in their own court and they started saying what their message was, well, a lot of confusion was created. Had a committee been sitting there, a steering committee, a group of people who have to answer to the public—and the elected people are the ones who ultimately and always answer to the public—I think we could have brought some sort of correction at the early stages and prevented the polarization that has occurred in the last two and half years surrounding the implementation of Bill 8.

I have no recourse but to feel very sad from the message I am getting from the Leader of the Opposition and from the former minister, who has spoken previously, that they cannot support this particular submission, I think a resolution that is as fair as it can be. It is a resolution that I believe is very similar to that being brought by the official opposition. The timing is the same. They may look at education and what have you, and that is fine. I think we are flexible enough to have that incorporated. We have no problem with that. Flexibility, I believe, is what this very volatile issue is all about.

Also, we have to remember that with Meech Lake coming up, as was referred to by the Leader of the Opposition, we cannot confuse the two issues. I know it is going to be fairly easy for people to say, "Well, Meech, Bill 8 and Bill 178," and I must tell you that Bill 178 is probably as symbolic, and symbolism at its worst, over in the province of Quebec. Certainly I, who represent a riding very close to Quebec, am reminded of this on an ongoing basis, and I must tell you, Mr Speaker, that I remind my provincial colleagues on the other side of the Ontario-Quebec border that they are not providing very good guidelines or leadership. If they indeed are prepared to look at Bill 178 and eliminate it, they would certainly make life easier, considerably easier, for the people in Ontario of the minority French language.

In closing, I have to plead with my colleagues in the Legislature that effectively what we are asking for is almost mirror to the resolution I have had the opportunity of seeing from the New Democratic Party. The quicker we can look into this situation following 23 June, the better, because we cannot have people getting the mixed message from whomever, whatever, whenever. We must provide leadership and guidance, and it has been too long coming from this Legislature.

#### 1620

The Acting Speaker (Mr Cureatz): I would like to thank the honourable member for Stormont, Dundas and Glengarry for his participation in the member for Sarnia's opposition day motion. Continuing with the debate, the honourable Minister of Municipal Affairs.

Hon Mr Sweeney: Let me take this opportunity to thank the honourable leader of the third party for providing us with an opportunity to participate in this debate to clarify, for those who may be paying some attention to us and perhaps to send out a message to our colleagues in municipal levels of government around this province, exactly what is or is not intended by Bill 8 and its various companion pieces of legislation. For that, I believe it is to be commended that we have an opportunity for this debate.

I have sensed for a long time in the province of Ontario that we have a special obligation in Canada, we have a unique situation in Canada, to speak to all of the citizens of this country about the linguistic dualism of this country. If we realize that the almost 600,000 francophones in Ontario—almost 600,000—represent more French-speaking Canadians than all of the other provinces put together outside of Quebec, that gives us a particular role. It gives us a role of having to say to the rest of Canada we need to find ways, we need to demonstrate in very practical ways, how two linguistic groups—as a matter of fact, in Ontario, many linguistic groups, but two in particular—live together, because it seems to me that if we cannot demonstrate that, who else is going to?

I was born in the province of New Brunswick, and as the members probably know, the percentage of the population in New Brunswick which is francophone is higher than in Ontario but the numbers are considerably smaller because the population of the province is smaller. I recognize that fact. But, again, let me say Ontario has a particular opportunity, and I would say a particular responsibility, to speak to the rest of the country, and in many ways to speak to our fellow citizens, our fellow Canadians in the province of Quebec.

I say that because I remember so vividly, as I am sure others in the House do, the dramatic and sensitive debate that took place in this chamber when the yes-no vote was anticipated in Quebec. I see my colleague opposite shaking his head. I can honestly say I cannot remember a time—I have been in this House almost 15 years now, and I really cannot remember a time—when all of us were searching to the very depths of our souls—and I am not trying to exaggerate—about, how do we speak, what words do we choose, how do we make sure that people not only hear what we are saying but almost feel what we are feeling?

Yet somewhere in these last nine or 10 years we seem to have lost that. If today, in the next months or however longer, we can recoup that, we can get that back again, it is going to be good for all of us. It is going to be good for us as members, it is going to be good for this province, it is going to be good for our sister province of Quebec, and it is going to be good for Canada.

We had something then, and we knew that the eyes of French-speaking Canadians in Quebec in particular were on us and we had to say what was in our hearts and in our souls. Let me repeat, I think many of us found the words. I remember many of us struggling to say a few words in French—I, too.

I lived in Montreal for four years. I went to elementary school in Montreal for four years, and as the members would probably know, I studied French there. When I came to Ontario in the beginning of my secondary school years, I took four years of French in secondary school, and since I have been a member of the Legislature I have tried on three different occasions to take the French classes that have been offered to members of this Legislature.

I am still struggling. I guess it is my weakness. I just cannot get my tongue and my mind around other languages, and I have

tried several. The short time that I lived in the United States, I tried to learn Spanish and I tried to learn other languages. I just do not have that facility, and I envy so much people who do, who seem to be able to pick up not one, two or three but several. I cannot. Maybe that is what makes me as sensitive as I am about this issue, because I realize how important language is and how difficult it is to struggle in another language to make yourself understood and to get your point across.

I remember, in the four years I was within the Ministry of Community and Social Services, that on two or three occasions when we were dealing with children in our various children's mental health centres across this province—and as we well know, that is still a concern of this province and the people of this province—one of the things that brought this particular issue home to me so clearly was when I visited some of these centres and the staff of the centre would tell me about young children coming in whose first language was French.

These were still young children. They had not been out in school too long, and they were speaking mostly French. They had a smattering of English. But the point that they made to me over and over again was that when children are in this vulnerable situation, they tend to lapse back to their mother tongue, to the language that they learned at the knees of their mother and their father, and it was the language that they felt so much more comfortable in, even though they could speak English. When they were in this kind of situation of having a serious emotional problem, it was so important for us to have available to these children the opportunity to speak to them, to counsel them, to provide support to them in their own language.

That is what Bill 8 is all about. That is the very heart and soul of Bill 8, that we say to the French-speaking people of the province of Ontario, "You ought to have the opportunity to be able to speak in your language at those particularly vulnerable times in your life: when you go to a hospital, when you go into a courtroom and when you visit a range of professional people," for example, some of the support programs that we offer in our children's aid societies.

In my last year in Community and Social Services, I was down in Cornwall. We have a double-stream program in the children's aid society in Cornwall, because approximately 25 per cent of the population of Cornwall is francophone. We recognize the need, not just for the kids but also the parents. Many of the parents of our children down there have French as their first language. They have learned English, of course. But, again, at those points in your life when you have this sense of vulnerability, you turn back to that first language. That is what Bill 8 is all about.

What I can never understand is English-speaking people in this province saying, "You're not going to jam French down my throat." That is not what we are saying. Bill 8 does not say that. Bill 8 does not mean that. It has nothing to do with that, and you honestly have to believe that when people say that, they must have another agenda. I am never quite sure what it is, but they must have another agenda.

As Minister of Municipal Affairs, as members well know, this is an issue of particular concern to me. Members may know that I just recently finished a three-week tour around the province, mainly in eastern Ontario, northern Ontario and southwestern Ontario. That was deliberate, because that is where the concern is, primarily.

I want to tell members that I did not go just to the big cities. I went to a number of the smaller communities to meet the councillors and to meet some of the people. In every single one of those places, I held open public meetings and invited people

to come in to talk to me, to share with me and to give me an opportunity, first of all, to really hear at first hand what it is they are feeling, why they are doing these things and why they are saying these things, and second, to give me an opportunity to reflect back the kinds of things that others have said in this chamber today and that I am trying, in my own way, to say.

#### 1630

The second thing we have done—and I am really very pleased with this—is that Grant Hopcroft, the president of the Association of Municipalities of Ontario, and I in February jointly co-signed a letter that we sent to all the 840-odd municipal councils in the province of Ontario, both of us putting our position down, both of us clarifying what Bill 8 does and does not do. I will not read the whole letter, but I want to read one little part, just to show the members that we are trying to understand why this misunderstanding is occurring. One example occurred to us.

When we talk about the designated areas in Bill 8, the word "municipality" is used. Let me just read this, "Some of these areas are listed as municipalities and this may be causing some confusion." Grant Hopcroft and myself went on to write this: "The term 'municipality,' as it is used in the schedule"—that is, Bill 8—"denotes a geographical area, not the local governing body. Therefore, municipal governments, whether or not they are in designated areas, are not required to provide services in French. Municipal governments were excluded at the time that the act was adopted because the government of Ontario respects the autonomy of municipalities."

We then go on in our letter to point out that municipalities have the option to provide it if they wish; that is their choice.

Mr Wildman: Voluntarily.

Hon Mr Sweeney: Totally voluntarily, and the letter clearly says this. We finish up our letter saying, "If you have any further questions or concerns, please get in touch with either one of us."

I wanted to mention that just to be sure that people realize how supportive the association of municipalities has been on this issue. I meet with them on a fairly regular basis. Just coincidentally, I happened to meet with them this morning in one of my regular meetings. We talked about this once again, and they said once again how important it was for them and for us, meaning all of us in this chamber, to keep speaking out loudly and clearly about what this issue is all about.

It so happened this morning that they brought to my attention another concern they had heard, another possible point of misunderstanding, and said again that we might have to send out another letter to clarify that one, or that one of the two of us do that. We are quite prepared to do that. We are acting.

I want to share with my colleagues in the third party that at the end of that meeting one of the members of the executive took me aside and said: "Minister, please don't have that tour now. This is the wrong time. This isn't the time to do it. This is the time for healing. This isn't the time to once again stir things up." That was his sense, and I share it with my colleagues, in whatever way they find helpful.

Interjection.

**Hon Mr Sweeney:** I have been advised not to take any longer.

I want to refer to two acts that speak to this. The first one is the Municipal Act, which clearly says a municipality may conduct the affairs of the municipality in any language it wants, not even just English and French. If it wants to conduct some of its affairs in Italian, German, Polish or Ukrainian, it can do that. It says "may." Of course, the French Language Services Act says exactly the same thing. The municipal councils may pass bylaws providing that the administration of the council be conducted in English and French. "May"—that is what this is all about, and we have to clearly understand it.

I think one of the things that we as legislators have to be so cautious of is to know that buried in every one of us—and I know, God help me, in me—there are biases, and they come out from time to time. We try through our whole life to keep them in control, to keep a rein on them. And we have to be so careful as provincial, federal or municipal legislators not to open that Pandora's box which says to our constituents, at whatever level, "It's okay to let those biases roam freely." We cannot do that.

The whole basis of civilization, of which we are a part, is a clear understanding that each and every one of us cannot do whatever we feel like doing. We have to keep our feelings, our emotions, our biases under some kind of control. It is not "anything goes." That is what civilization is, that is what this province is, that is what the communities that make up this province are. We have to be so careful.

I say that because I recall reading a short little news story that occurred in one of the northern communities after this issue blew up there, where a young francophone working in a local factory suddenly found himself the victim of harassment because he was a francophone. It had never happened to him before. Why now? Why at this particular point? I suggest to members that it happened at that particular point because somehow some people in that municipality got the message that it is okay to do that kind of stuff. Well, it is not.

It is important that we and our municipalities clearly say it is not. It is important that we say instead that we are our brother's keeper, that all of us are equal before God and before the law.

**Mr Allen:** I rise to speak on the resolution that is in the name of the leader of the third party in this Legislature and to address the important questions that it puts before us.

I want to say first of all that this resolution presents us with three fundamental problems. The first is where it came from and how it arose; the second has to do with the question of the implementation of Bill 8 and whether there is or is not a substantial crisis around its implementation in the terms in which this resolution states, and the third is whether this debate does not touch upon such larger issues and inevitably bring into play a much larger debate on whether this resolution and the proposed means it suggests that should follow—namely, a tripartite committee addressing the problems of a technical kind in the implementation of Bill 8—can really carry the freight of that kind of discussion. Unfortunately, my response on each of those points is negative.

Implicit, as my leader has declared, in what happened midlast-week, when the three leaders—the two leaders and the Premier—met to discuss a three-party resolution, implicit in the member for Sarnia's presentation of a fait accompli with respect to an opposition resolution framed in this fashion was a rejection of the opportunity to present a three-party resolution on this subject. I say that with regret, but none the less one can hardly read the actions any other way.

I do not want to labour the point; I simply want to observe that casting this discussion, the first opportunity that we have, returning to this House, in the context of an opposition day, we all know that, whatever pretensions and so on we want to build around opposition days, they are intended to confront the

government, to be over against the government, in significant ways and around important issues. I understand that. Those are proper debates and they have their place.

But this matter was brought forward in the context of an opposition day, and that inherently, in the very spirit of things, ran against the concept of a resolution that would be three-party, non-partisan and a full expression of the best thought and feeling of this Legislature. I state that with great regret, but that is the only way in which I, and I think this House, can read what has happened. It makes it impossible for me, and for my party, to rise and support this resolution.

#### 1640

The second major problem I have with this resolution is that it suggests that the great problem around Bill 8 and the implementation of French-language services in Ontario has to do with administrative guidelines, regulations and such technicalities of implementation. It may be true that there have been some misunderstandings around Bill 8 with respect to its obligations upon municipalities. I do not understand how that really can be the case.

I would have thought, and I believe, that most municipalities are governed by competent, able and intelligent persons who are able to read legislation. They do it all the time, presumably. They get enough amendments and legislation from this place, enough things written in legalese, that they must by now have a considerable competence in reading legislation and an understanding of what it says and does not say. And if there is anything that is clear with respect to municipalities in the text of the bill, it is that the whole question of French-language services is an entirely optional matter, an entirely open question, an entirely voluntary matter for the municipalities.

If one, for example, wanted to refer to the way in which official bilingualism was implemented in Canada at large, that did not lay a specific obligation upon the provinces. It certainly did not lay a specific obligation on municipalities. Bill 8, although it imposes no official bilingualism anywhere, by the same token is meant for the province and provincial services and agencies that derive from it, but not municipalities. That is clear. So if there are misunderstandings around that kind of question, if there are misunderstandings among some persons with respect to employment options and otherwise, that information was readily available.

It is quite clear from information that has been open and accessible, in and from government, from this place, that at the very most the numbers of positions that would be designated as requiring competence in French would be 10 per cent, at the greatest, probably more likely something like seven per cent; that the actual cost of implementation of this, if one looks at the figures that are publishable and readily available, does not amount to more than about one tenth of one per cent of the provincial budget, not a stunning and overwhelming amount; none of it an obligation upon the local taxpayer, upon the property taxpayer, upon the commercial and industrial tax base, because nothing is being done through, of and by the municipal government.

So those questions that have been put forward, those arguments that have been put forward, were ones that could readily have been answered and do not require that there be a formal legislative committee that travel the province in order to answer such small details of finance, of numbers of employees, of courts of appeal or grievance procedures through the union, or through to the ministry and through to the Human Resources Secretariat of the government.

All those matters are readily soluble. So in the words of the last person who spoke, the Minister of Housing, one has to believe, one has to understand, that there was another agenda that fed on a good deal of rumour, that fed on a lot of insinuation, that fed on a lot of the worst aspects of those of us who belong to the human race. We are all there and we all recognize them in ourselves and, as the last speaker indicated, we all try to keep them under some measure of reasonable control.

So the terms of this opposition day resolution when it refers to a crisis in implementation that could be responded to in the way in which it suggests, in a reasonable and informational kind of way, quite miss the larger dimension and the undercurrents of this particular issue that has struck so many of our communities in these last few months.

I want to tell members that when this wave of declarations of unilingualism by municipalities struck in our province, which has now encompassed some 50 municipalities—I remind members it is still not even 10 per cent of the total in the province—I was sitting in a living room in Jonquière, in the Lac Saint-Jean region of Quebec, watching the news. I was in a relatively well-informed household which subscribes to publications from the federal government and agencies to keep abreast of language issues in the province.

They were utterly surprised. They could have believed their ears a decade or two or three decades ago if they were hearing what they were hearing, but they were beginning to believe, they were beginning to understand that there had been major steps forward in this province in the field of education for the francophone community; that there had been major steps forward taken in services of all kinds that predated the French Language Services Act, in the courts, in the promotion of the arts, in the development of the possibilities that the French communities were experiencing in Ontario, and that now the French Language Services Act was building on that. They were beginning to appreciate, as many people in Quebec only very recently were beginning to realize, the major steps that their sister province was taking in response to the fundamental duality of Canadian life.

Those actions by those municipalities have set back the reputation of this province immeasurably in these last few weeks. One has to wonder whether there was not a certain deliberateness among some of the agencies that were at work in the background, like the Alliance for the Preservation of English in Canada, in seeing that that happened.

I remind members that a century ago there was a movement called the Equal Rights Association, which was unilingual, Protestant, anti-Catholic, that swept through Ontario and parts of the west and that poisoned Canadian life for the better part of two generations. It wiped out multilingual schools in Manitoba. It was the background for the infamous regulation 17 that made it illegal to be speaking and teaching French in Ontario schools.

That is not the way we want to go today. This country has made tremendous progress. It has in recent years become one of the more cosmopolitan societies of the world. This is a place of many languages, but that diversity builds on the fundamental fact of an original diversity, which was the foundation of this country in a compact and understanding between two linguistic communities in the 1770s, 1780s and 1790s, on which the roots of this nation were built, both constitutionally and spiritually. That foundation recognized that there was a duality of culture, a duality of language, and every single instrument of our Constitution subsequently has reaffirmed that. Without that basis all other diversities, all other multiculturalisms, would be impos-

sible. That is the central thrust of our country and that is the central thrust we need to keep alive.

When we come, this summer, to the travelling work of a Constitution committee of this Legislature, we will deal not only with the smaller questions that are in the motion of the member for Sarnia but the larger issues that we still have to face in this country in order to promote, preserve and protect the fundamental duality of our society and, at the same time, our linguistic heritage and the fundamental base upon which all other diversity rests.

#### 1650

Mr Harris: I do want to speak to the resolution, if I may, for a few moments. It is not nearly long enough, but I know some of my colleagues would like to speak as well.

I would like to refer to some of the comments that have been brought forward by the Leader of the Opposition, who indicates that he cannot support the resolution. In my view, there is no hidden agenda in the resolution. The resolution is pretty straightforward. It states: "That in the opinion of the House, while reaffirming our support for the provision of French-language services"—I am pleased to be here today to do that, to indicate that I was in the House when Bill 8 was passed, that I spoke on Bill 8 and I support the principle to this day.

It confirms that the French Language Services Act was not intended to apply to municipalities. This, as I understand what the Leader of the Opposition has proposed, ought to be reaffirmed lest there be any confusion. I do not think there is confusion among municipalities. I think there is among people in municipalities, but I think the municipal politicians themselves do understand.

It calls for an all-party, non-partisan committee to travel the province and hear the concerns about the implementation of Bill-8. Anybody who says that there are no concerns out there has not been travelling the province as I have been travelling the province.

I would agree with a number of members on this: The issue goes beyond Bill 8, it does go to Meech Lake, it does go to Quebec, it does go to a frustration of municipalities, school boards and the public that they are not being consulted. They have seen program after program after program from this government enunciated without any consultation, and then the municipal taxpayer or the school board is told, "You pick up the tab." They are frustrated, they are mad and they are concerned about what the agenda is. "Why won't people discuss this? Why won't they come and talk to us?"

This is a sensitive issue. I appreciate that. It is a difficult time in Canada's history, and I appreciate that. But I think it is important that we pass this resolution today. I think it is important that we not have any more municipalities pass unilingual resolutions between now and 23 June. I do not think it is good enough to wait until after 23 June, because there are a number of municipalities that have told me they are planning and they want to come forward with these kinds of resolutions. I have asked them not to. I have said, "Would you step back and consider how that appears to Quebec, how that appears to francophones in this province, because they are interpreting what you're doing differently from what you tell me is the reason why you are doing it."

We have said that we would discuss this, that we would bring it forward. Pardon me for being cynical, for both of the other two parties, that we would actually get an opportunity to discuss this in the Legislature and to debate it, because we have not had those opportunities before. I say as well to all members of the Legislature that the public is fed up with the Legislature deciding its vision of the country, its vision of the province, its position on Meech Lake, its position on free trade, its position on Sunday shopping or its position on insurance, and then saying, "We'll strike an all-party committee to hear what the public has to say." People are asking me, "What damned difference does it make what we have to say if you decide first and consult later?"

Members know that the first opportunity for a committee to travel this province is in July. A committee of the Legislature cannot travel while the House is in session. But I think it is important to signal now to Ontarians, to municipalities, school boards and those who have concerns, that this summer, which will be our first opportunity, we are going to listen to them before we come up with our provincial response, because we have not done that very well over the past number of years.

I am the first to acknowledge, as a backbencher in a majority government, that we did not do very well in the early 1980s either. That is no excuse for not listening to what the people are telling us on a whole host of issues, including this issue.

I say to the member for Hamilton West: J'ai étudié la langue française à Jonquière au Québec aussi et j'ai habité avec une famille francophone. Je comprends les inquiétudes des Québécois. But I think it is important that we understand what Ontarians are thinking. They think there is a hidden agenda. I can tell the members that. They think there is more to come, and I think unless our political leaders clearly stand up and say where they stand and listen to the people, they are not going to quiet those concerns.

The leader of the New Democratic Party has campaigned extensively that he is in favour of official bilingualism for the province of Ontario. The Premier of this province, the leader of the other party in this House, continues to say that he thinks official bilingualism for this province will be a natural evolution. As late as February, when he comes into a French-speaking area, he says bilingualism is inevitable. Is it any wonder that municipalities are concerned that official bilingualism for the province of Ontario is inevitable? It does scare me, because I am opposed to official bilingualism for the province of Ontario, and I want to explain why to the members.

This country came together, Upper Canada and Lower Canada, with an understanding that Lower Canada would be French and Upper Canada would be English. Lower Canada was Catholic and we were Protestant; they had a Napoleonic system of justice and we had a British system of justice. At that time we agreed with Quebec: "You can be French, but you must provide services to the English minority. We will be English, but we will provide services to the French minority." We said: "You in Lower Canada will provide education to the Protestant minority. We will provide education to the Catholic minority in Upper Canada, in Ontario, and we will each keep our system of justice." That has worked quite well, and we have those commitments today, which is why I support Bill 8. We must provide more services to the French in this province.

It is a tragedy. In my office this morning, there was a French-speaking parent of a unilingual French-speaking child in Nipissing who has learning disabilities and cannot get speech pathology in the French language. I have been in eastern Ontario where there are elderly people, a widow for instance, who cannot get into a senior citizens' home and be served in the French language. She cannot even die in her own language.

There are many services that we still must provide. That was our commitment to the country as we came together. That

is our commitment today. As the Leader of the Opposition has said, "Meech Lake is involved in this too." I agree. I support Meech Lake. I support Quebec's right to be French.

Trudeau came in with a new vision of this country. He said if we were all bilingual from sea to sea in every province, we would not have any of these conflicts. He envisioned that we would all be officially bilingual and we would not have conflicts about how much French service is enough in Ontario, how much English service is enough in Quebec. He is right. We would not have that problem if that could have evolved 50 or 100 years from now.

But Quebec was the most honest province of all. They said to Trudeau: "No. You told us we could be French. We think if we are officially bilingual in the province of Quebec that over 50, 100, 200 years the French language will disappear and diminish." I think they are right. I think it would. So Meech Lake is an attempt to recognize that Quebec is distinct. They are French and they ought to have the right to keep their province French. I support that. That is why I support Meech Lake. That is why I support "distinct society."

#### 1700

Those were the commitments we made. That is the way we are today. There are nine provinces that predominantly use one working language and provide services in the other. It seems to make sense, where Quebec is 80 or 85 per cent French, that French be the predominant language. But it is important that services are provided to the English-language minority. There are eight provinces where English is the language that is overwhelmingly predominant. It is very important that we provide services to the French-speaking minority. There is one province that is about 60-40. They said, "It makes sense for us to be bilingual," and indeed they are. That is New Brunswick.

I do not think very many people in this Legislature understand what the significance is of official bilingualism for Ontario. There are two definitions of official bilingualism in this country that legally come into play. There are many people who feel that once Bill 8 comes fully into force, all we have to do is entrench that and we are officially bilingual. Of course, that is not the case for Ontario. It would be for Quebec, but it is not the case for Ontario.

There are two constitutional models of official bilingualism. The first is official bilingualism as defined in the British North America Act, 1867. Under the BNA Act, official bilingualism means the right to speak in French in Parliament, in the legislatures and the courts. That is the version of official bilingualism used in Quebec and Manitoba. They have declared themselves officially bilingual under those terms and conditions of the BNA Act. Under that model, all other services can be unilingual. That is why Quebec's Bill 101, which prohibits the use of anything other than French everywhere except the Legislature, the courts and schools, is constitutional under that definition, because they opted in in 1867.

Manitoba, as members know, does not provide bilingual services beyond the minimum required under the BNA Act, yet it is officially bilingual under the BNA Act. Ontario, as members know, has fulfilled the requirements of this version of official bilingualism for some years. However, this constitutional model is not available to Ontario. According to constitutional law, this model can only apply to those provinces that accepted it at the time of their entry into Confederation. The recent court case in Saskatchewan centred upon this point in law.

Members must ask themselves, what does official bilingualism mean for the province of Ontario? It does not mean

what it does under the BNA Act. That is not constitutionally legally available to Ontario. So, should Ontario wish to become officially bilingual, it must accept the constitutional model available under the Canada Act, 1982. That is the act to which Quebec said, "No way will we sign that act." Now we are attempting to bring Quebec back into the constitutional family. I think we should listen to why they would not join in 1981-82 and what minimal conditions they are asking for right now.

Under the federal legislation, government offices and designated areas must recognize both French and English as equal languages of work. This means that if an employee at that office wishes to conduct all or part of his or her work in French or English, he or she must be allowed to do so. Thus, unilingual employees, whether they speak French or English, would find it impossible to work effectively in that office. No unilingual individual could ever be put in a supervisory position according to the definition of official bilingualism that is available to Ontario, which one leader says is inevitable and the other says he is promoting.

Members might as well understand the constitutional law if they are going to go around talking about what it is they stand for.

Interjection.

Mr Harris: Obviously I do, thank you very much.

Those are the concerns that are being expressed across this province. I say to the members they had better be clear to the public where it is they stand. They had better be clear. They had better listen and consult with the public. They are fed up and frustrated with the whole lot of us because we seem to act and then pretend to consult later with a committee.

If members want to stop the unrest, if they want to give Meech Lake a chance, if they want to give the country a chance, I ask them to support this resolution in the honest, upfront spirit in which it has been brought forward. I ask members to send a signal to Ontarians and to the municipalities and to those who have concerns that we support providing Frenchlanguage services; that we support the principle of Bill 8 and that we are prepared to listen to whatever concerns they have over how it is being implemented; that we are prepared to listen to Nipissing, to Cornwall, to Stormont, Dundas and Glengarry where services are still not being provided and much more needs to be done; that we are prepared to look at the priorities this government has chosen to take in how it implements this particular piece of legislation.

I am a little surprised that members of the other parties interject and appear to think that this party is not sincere, the party that began the process of providing French-language services, the party that designated most of the areas in this province, the party that began to provide services in education, that guaranteed French-language education, the party I am proud of that began French-language services in the court system, that led the way in this country in tolerance to both the French-speaking minority in this province and to the new Canadians who have come to this country, the majority of whom come to Ontario.

I ask members to accept the resolution in that spirit because I accept it in that spirit. I ask them to support it. I believe if they do support it they will see an end to the unilingual-only resolutions that have been coming across this province, that are so badly misunderstood in sending out so many of the wrong signals, which we do not want to send out. I think we can come together and listen this summer across the province to what concerns people have. I think accepting this resolution will

allow us to go forward with the discussions on Meech Lake and the very significant problems we have in the next three months in keeping this country together.

Mr Velshi: My friend the member for Nickel Belt would say that was a tad provocative.

The recent actions of a number of municipalities in adopting unilingual English resolutions seem to be breeding a new spirit of intolerance in this province. I have to ask why this resolution was brought forward now. I question the timing of this. Members from the third party have said there is no hidden agenda, but I still have to be satisfied that there is no hidden agenda here.

We have had about three years since Bill 8 was first discussed in this Legislature and everywhere else. To everyone who has written to me about Bill 8, I have responded as I thought fit. I think the third party members have had the same opportunity to do so. I cannot believe right now that it is Bill 8 we are talking about. I think there is more to it and there seems to be some agenda that I fail to understand or perceive here. Why the sudden rush to discuss it now?

That party has lost its sense of direction. This happened at the time Premier Davis resigned. Just before he resigned he brought in the separate school funding issue, a good issue, but the question was, why just when he was resigning? Now we have the present leader of the third party just about to step out of his position and he is saddling his party with a very divisive issue again.

#### 1710

They say there is no hidden agenda. When the member for Stormont, Dundas and Glengarry spoke, he said that his party believes in Bill 8. Then I have to question why the member for Markham questioned the Speaker when the Speaker spoke in French one day in this very House here. I think we all remember that incident.

When Thunder Bay and Sault Ste Marie passed their resolutions making them unilingual English I had received a plaque from Thunder Bay, a beautiful plaque by the mayor, to say that I was a friend of Thunder Bay. On 22 February I sent that plaque back to the mayor. I said, "I have a great deal of regret that I return to you and the members of the council your generous gift to me." It is a long letter, but I said, "When the council comes to their senses and rescinds this resolution, I will be glad to receive this plaque again." What did the member for Leeds-Grenville do? I read in the paper that he wrote a letter to Sault Ste Marie encouraging them, thanking them for what they had done and saying, "Stick to your guns."

The member for Stormont, Dundas and Glengarry has to recognize that within his own party there are differences. We heard the member for Nipissing. I still do not understand what he said. I do not know if anybody else did. But when he said that he goes to meetings all across the province, the people who are concerned do not even attend meetings of the Progressive Conservative Party, the minorities and the francophones because they know they get short shrift from that part of the party.

Mr Harris: That is a good non-partisan speech.

Mr Velshi: I thank the member. I appreciate that. The member for Nipissing is saying that it is not a partisan speech, that it is a good non-partisan speech. I am partisan because when the French fact disappears from this province, who is next in line? The visible minorities? The women?

Mr Harris: The Liberals.

Mr Velshi: The member for Nipissing shouts the "Liberals." We are all in danger here. I will fight this resolution. I had prepared a lot to say, but we are running out of time. Some members before me spoke very eloquently and I think a lot has been said. We will fight this. My party will fight it. The visible minorities and other minorities will fight it.

I feel very, very sad for the member for Stormont, Dundas and Glengarry sitting in this same caucus here with people who do not even understand what he is all about. I would welcome him to step into the Liberal Party because out here we do not accept the French fact or the visible minority fact; it is part of life with us. We do not need to say, "You're welcome." Everyone is and everyone has a comfort factor within this party.

When they discuss these things there is a hidden agenda. I do not know what it is but I do not like what I hear or what I see here.

Mr Wildman: I rise to speak in a very troubled state of mind. All members know how important and sensitive this issue is in my part of Ontario. That is a part of Ontario that has a well-deserved reputation for friendliness and harmony.

I represent a riding that is the fourth largest in Ontario and that is very, very diverse in its population. I represent a significant number of our first nations. I represent 80 per cent of the population of my constituency who speaks English. Many of those are from various countries throughout Europe and Asia. About 20 per cent of the population of my constituency is French-speaking.

I feel very fortunate to represent such a diverse riding, a very rich riding, rich in diversity. I have fought since I was first elected in 1975 for unity in that diversity so that we can all grow and benefit from the wealth of diversity that is Algoma, that is Sault Ste Marie, that is Ontario and that is Canada.

One of the communities I represent is quite unique in Ontario in that it is really a unilingual francophone community, Dubreuilville. As you know, Mr Speaker, I am not a bilingual person. I can stumble along in French, but I am not bilingual. I represent a community where a very large percentage of the population does not speak English and yet we can communicate and do communicate.

One of the reasons I supported Bill 8 when it was introduced in this Legislature was that I had the experience of having to deal with a young man from Dubreuilville who did not speak English and who was wrongly diagnosed as a schizophrenic, not because he was a schizophrenic—he did have emotional problems—but because he did not speak English, and the person who was trying to treat him and deal with his problems did not speak French. That poor young man did not understand the questions that were being asked him. He did not know how to answer them. The professional who was attempting to assist that person did not understand the answers. It took us three years to have that mistake rectified for that young man.

If anyone does not understand why French-language services should be provided to Franco-Ontarians, that individual should be required to go to Dubreuilville for just one day. As a unilingual anglophone, when I go to Dubreuilville I have to concentrate so hard to understand what people are saying to me and to determine how I should respond that I come away from that experience physically tired. I know that whenever those individuals who are my constituents from Dubreuilville go to Sault Ste Marie, if they have to go to the hospital or for other professional services, or even if they are just going shopping, they go through that same experience.

I agree with my leader and other speakers who have said that this debate in Ontario today is not just about Bill 8. In my view it is about a concept of Canada. What is this country about? Are we about understanding and generosity? Are we about celebrating the richness of diversity in this country? Or are we somehow narrower than that?

I attended a meeting on the weekend of the Algoma District Municipal Association, a meeting that was a very emotional one. I am happy to report that a motion was put to support unilingual English resolutions which did not carry. However, it was a very emotional debate.

Part of that debate centred on the fact that the Ministry of Transportation was establishing or tendering a licence bureau for the small community of Thessalon, which is an anglophone community in the southern part of Algoma district, and around the fact that the applicants were required to be bilingual even though, over the last five or six years, only one individual has asked for service in French. This led to a very, very emotional debate in which it was said that all municipalities would be required to provide bilingual services, perhaps not now but in the future.

It was also said that in order for anyone in this province to get a job in the provincial civil service, the individual would have to speak French and not necessarily English. It was stated that, even if you were to get a job as a bus driver, you would have to be bilingual in this province if you were driving school children to school.

There were comments about Bill 178 in Quebec and the view that perhaps we should get involved in some sort of tit-for-tat type of approach in dealing with the province of Quebec.

#### 1720

If anything showed that there is a need for an education program, not just on Bill 8 but on the relations between French-speaking and English-speaking Canadians in this province, then that debate at the Algoma District Municipal Association demonstrated it. We all know that Bill 8 specifically exempts municipalities from having to provide bilingual services in Ontario.

The law applies only to provincial government services in the 22 designated areas of the province. No municipality in Ontario is required to provide French-language services by Bill 8. The law is not a significant cost to municipal property taxpayers, so the argument that has been made by some municipalities that resolutions are being passed for economic reasons, in my view, just does not hold water.

I would hope that the discussions in this House around this issue would lead all of us to become involved in trying to educate the public of Ontario not only about the ramifications of Bill 8 but the importance also of our understanding one another in this province. I realize that councillors who passed resolutions, whether it be in Sault Ste Marie or other municipalities, did not intend offence to any minority group. But the fact is that francophones and others in Sault Ste Marie, Algoma district and across Canada have indeed been offended by these resolutions. They feel humiliated and angry. The resolution passed in Sault Ste Marie has hurt the image of that community, and it is going to take a long time for the divisions that have developed in that community to be resolved.

The question is, where do we go from here? How can we begin a dialogue? How can this festering dispute be resolved? How can the divisions be healed?

It is indeed a time for healing in Ontario. In my view, it is a copout for fairminded people to argue that it is better to remain

silent in this controversy because speaking out might exacerbate community divisions. To remain silent is to leave those people with other agendas open to propagandize virtually unchallenged. I have made that point before and I still believe it.

It is a time for voices of moderation. It is a time for voices of tolerance and understanding. It is a time for voices of compassion and generosity. It is a time for leadership in this province from all three political parties and all politicians at all levels of government. We must not remain silently at the sidelines in the face of the kind of divisions that have developed in our communities across Ontario.

I urge all members of this House to genuinely take a non-partisan approach to try to work out a wording that deals generously and thoughtfully with the concerns of the citizens of this province around the issues related to language and to our position as a leading province in Confederation. I think we have an opportunity. I think we can meet the challenge. But we do not meet it with partisan speeches on this issue; neither do we meet it by not making speeches on this issue. We must speak with genuine concern for the future of our country and with genuine concern for the needs and problems facing the citizens of Ontario and Canada. If we do that, we can meet the challenge, and Canada will survive and grow as a united country—united in diversity, just as Algoma district is.

Mrs Cunningham: I support my party's resolution before the House, a resolution which my colleagues and I in the Conservative Party today believe to be genuinely helpful. That it was necessary, however, is a tribute to the abject lack of leadership that the government continues to show on this sensitive and important language issue.

When my colleague the member for the great and diverse riding of Stormont, Dundas and Glengarry wrote the Premier after the 1987 election asking for an all-party committee so that any concerns, questions or issues about cost or implementation could be addressed, the Premier, as has been the case on the important issues from Sunday shopping to auto insurance and from language rights to health care funding, chose to dither and did not respond. Dither he did for weeks, until he finally said no. And now he chooses not to campaign dramatically for minority-language rights but to mumble quietly, evade the issue and avoid making any real decision.

That is why our motion is necessary and that is why, in part, so many in Ontario are feeling confused and anxious about language policy rather than comfortable and assured, as so many of us are trying to travel this province right now to reassure, in the lack of clear direction.

This Premier and this government do not understand that the road to language harmony, the road to minority-language rights, the road to interlinguistic and national understanding and tolerance require far more than hollow gestures and self-congratulations.

The problems with the French Language Services Act are ones of government mismanagement, lack of accountability, lack of consultation, lack of consideration of community impacts and lack of good judgement and common sense. All these words have been given to us as we have travelled this province looking for solutions to problems. These are not my ideas; these are the ideas of the public which I represent. The government's refusal to acknowledge that problems exist and that something should be done about them has encouraged the growth of anti-Bill 8 sentiments across Ontario. It is as simple as that.

This government has chosen to implement the French Language Services Act in a way that does affect communities, through government contract jobs and a number of agencies, which is not easily explained and certainly not explained as to the implementation of the bill. Displaced workers and affected communities deserve an explanation when jobs are filled from outside those communities and from outside the province.

Those are the real concerns of Ontarians as we travel about. I have tried to get the answers, and I am not able to do so. Specifically, one by one, community by community, we need an explanation. The municipalities, however, worried by a combination of provincial cutbacks and added responsibilities, as well as a mix of individual concerns, have responded with English-only resolutions. No one is fanning the flames; the flames are being fanned by those very individuals who are confused and concerned and looking for leadership. That is what this province needs—leadership.

The present Premier likes to model himself on premiers Robarts and Davis. He has said so himself. Let me give you an example, Mr Speaker, of the actions of those gentlemen. When Premier Robarts provided for French minority education in this province in the 1960s and the 1970s—and I was there—he did so brick by brick, school by school and county by county, and it was tough. They explained, they reasoned, they answered questions and they built trust from community to community, from school board to school board, from family to family, and it was hard work.

When the Conservative government made our legal system bilingual to serve all Ontarians, it worked long and hard to make it happen. They did not sit back and hope and push it under the rug when it was not working. When the Conservative government got minority-language education rights guaranteed in the 1982 charter, a guarantee that has been used time and again in the courts to protect both English-language minorities in Quebec and French-language minorities elsewhere, it bargained and laboured long and hard both for that provision and for the charter overall. You build understanding by working with people, explaining, listening and compromising and getting out in the real world and doing it.

No province has passed on more costs to municipalities and no government in this province's history has passed on more heavy burdens than the one in power today. Whatever reason they are able to explain in the future, I do not know. The employer health levy, Sunday shopping, lot levies, courtroom security—all have become operating burdens of high proportion. Add to that the withdrawal from school board financing to the lowest provincial level ever, and we have a clear picture of cost transfer and fiscal desertion.

#### 1730

The reason I raise it today is the atmosphere in which an underexplained and poorly complemented Bill 8 was sent out into the land of Ontario. In that kind of atmosphere, we are asking our municipalities, our communities and our people to accept this piece of provincial legislation and work with it with no clear direction.

From the beginning, the Liberal government has exercised poor judgement and it has led to deep divisions in the province. They have allowed Bill 8 to run out of control. They have no idea of the cost of implementation, they have no idea of the potential divisiveness which would arise as a result of the misunderstandings of Bill 8, and they show a total lack of leadership when problems first surface.

Mr Laughren: Nothing worse than a bill out of control. I think the member is out of control.

Mrs Cunningham: So much for why we are here today. What we must do is move ahead. We should do it with some clear priorities. As soon as possible, in spite of interjections from my colleagues in this House, we should establish an all-party committee as we have described today in our resolution.

We should go further. We should complete a program and finance audit of existing services for committee deliberations. That would be the norm in a committee. We should make it public so that the public understands what it is getting and what

it is paying for.

We should invite representatives from the Rural Ontario Municipal Association, AMO and l'Association canadienne-française de l'Ontario to act as official committee observers to show them that they are the people we need for good input to decision-making. At the same time, we should allow no further unilateral action on Bill 8 until the committee recommends appropriate implementation.

Furthermore, I believe down the road, some time in the near future, we need in this province a language ombudsman for all Ontarians so that there is a fair and appropriate way for French-speaking and English-speaking Ontarians to have concerns about fairness, equity and cost addressed on an ongoing and civilized basis. I say that as a result of literally months of travelling around this province and hearing concerns that I had no idea were there to the level they appear to be today.

I shall close by reminding this House that when Sir John A. Macdonald, George-ÉEtienne Cartier, George Brown and others inspired Canada into existence, it required endless hard work, advocating, negotiation, concessions and, above all, working almost town-to-town to build trust and understanding. It was hard work then, and it is hard work now. It has never been easy.

It is not for the lazy, the dilettante, the immature or the superficial. It is not today within the abilities of this government, and certainly not the Premier. Today's resolution is a clear example of the principle and the price we all pay when we have a government in Ontario not up to the nation-building task. This should have been their resolution, not ours. They are the government. Sooner than many may believe, the people of Ontario will make it clear that they and their children, their province and country truly do deserve better.

Mr Campbell: I am compelled to take part in this very important debate because, as other members know, I come from a region that is privileged to have a vibrant French-speaking community which has made significant contributions to our history. The French culture in Ontario has been present for a long time and has contributed to the development of this province for centuries. Last year marked the 350th anniversary of French life and culture in this province. My concern is for the real people, those men, women and children who speak French and who are confronted with hostility, anger or hatred during their day-to-day lives.

I know in my own family my son Tyler asked me why people looked at him differently because he was speaking French with some of his friends after his bilingual class. "Dad, why are they doing that?" Or talk to Father Lemieux, an elderly Jesuit priest, 80 years old, who went around this province with an ancient tape recorder finding the real francophones in very spread out areas in our northern Ontario area. He tells me that one of the main difficulties he has encountered was locating francophones and making them tell their stories.

Yes, in fact there were times in this province when speaking French on the streets or at work was not tolerated. Intolerance to any minority was the rule. Fortunately, times have changed. Now there are more than 3,000 French-language community

309

organizations in Ontario, including clubs, associations and educational institutions operating at the regional and provincial levels.

These people are genuinely concerned about the possibly nastier aspects of this language debate. What are we saying to those people who are directly involved who feel personally affected by this debate surrounding their language? Are we protecting this minority?

In my view, we must help them to feel that they are an integral part of the fabric of this province. We must avoid stirring up destructive feelings which will make them feel excluded and hurt. A real problem at this time is intolerance towards one another and how to deal with it.

Will the third party's proposal be helpful in solving this problem? I do not believe that a special committee conducting public hearings solely on the implementation of Bill 8 will help resolve the situation.

Let us not forget that in all our discussions, we are dealing with real people and vibrant communities. They seek only to contribute fully to the life of this province, without having to sacrifice their language and culture. This government must, and will, continue to support the provision of French-language services and their effective implementation.

Miss Martel: In the short time that I have remaining, I want to say that I am pleased to participate in the debate and I want to return to the three issues that were raised by my colleague the member for Hamilton West in dealing with this particular resolution.

The first is the manner in which this arose. I think it is unconscionable for me not to mention here that it was unacceptable, the manner in which this particular resolution arose. My leader, the leader of the Liberal Party and the leader of the Tory party were, at the very moment that this resolution was being moved in this House, also in a meeting to describe how the three leaders and their respective three parties could work together to bring to this House a resolution we could all live with to reaffirm Bill 8, to deal in some way, shape or form in a constructive way with the municipalities that had passed unilingual resolutions and so on. I think we would have been far more constructive and far better off had that process been adhered to and we all worked together on this particular matter.

Second, the question arises concerning, is there a crisis around the implementation of Bill 8? I, for one, will stand in this House and say that yes, on several occasions in this House, in particular in estimates on francophone affairs, I raised with the minister at the time my concerns around information, disinformation, lack of advertising, too much advertising in different sections of the population and not enough in others and suggested to this government that it was high time that there be a co-ordinated effort in the anglophone community to tell people what this bill meant.

But is there a crisis at this particular point in time solely around Bill 8? I would have to say no. In fact, people are not so concerned about regulations, guidelines and administrative manuals as they are with the whole broader context, which involves Meech Lake, which involves Bill 178, which involves people's fears around free trade, about the loss of their jobs, loss of Via Rail, Air Canada and on and on and on. All of those kinds of fears and anxieties that people have around their employment and around their future come together, and I think that debate is much broader. It is not only a question of Bill 8 and implementation; it is a much broader debate about where this country is heading and what our role in it is.

Third, there is the question of, what can be our positive contribution to this debate? I think that the Tories should join with us, and so should the Liberals, in agreeing that there are much broader issues that affect our country, that affect our nation and what our future is, and that a committee of this Legislature should go out and not only deal with the very strict guidelines and implementation about Bill 8 but should look at this province in the context of the whole country and where we are heading and what we think is best for francophones, anglophones and cultural minorities within their particular province. It seems to me to be far more acceptable to put it all on the table, to talk about Canada's place, to talk about Ontario's place in the Constitution, to talk about where we are heading in terms of education in this province, French-language services, etc. It seems to me that Ontario can come to the table, as my leader said, in a very positive way and contribute a great deal to that debate.

#### 1740

That is why I will not accept the resolution put forward by the Tories on the very strict, narrow interpretation of Bill 8. I think if a committee is going to go out and do good work in this province and dialogue with the people, then we should be dealing with those major constitutional issues that are affecting our nation that people are worried about.

**The Acting Speaker:** Further debate? The minister responsible for francophone affairs.

Hon Mr Beer: Thank you very much, Mr Speaker. I rise to take part in this debate, and the issues that I think have been brought forward by many members are certainly the critical ones that we have to deal with. I think we all, as legislators, accept that we must do that in a public fashion and that we must be prepared to go and speak with everyone in the province, not only around what Bill 8 is all about, but I think far more deeply and more specifically what the whole question of duality and linguistic rights means for the future of our country and for our province.

I would approach today's debate perhaps a bit the way the Leader of the Opposition did in saying that, if you like, we are having a public discussion around a draft, a draft which is not yet acceptable, a draft which does not meet, I believe, all of the different concerns and needs which different members in our three parties have expressed from time to time, and where I think there are still grounds for belief that we can come together for an all-party approach to the question of supporting the basic principles of Bill 8 and finding an appropriate forum in which to ensure that we can all have our say and the public can participate more fully.

But I think, as a number of our colleagues have mentioned, that forum needs to be expanded, needs to take in the context of the debate which right now is going on in our country, because as we approach the issue of linguistic rights, we are approaching a fundamental characteristic of this country and this province.

We must never forget the fact that in dealing with the issue of the protection of minority language rights, we are dealing, in part at least, with French-speaking people who were born in this province and who have been here since well before we became a province, indeed from the very, very early days. That is a reality that is part of us as Ontarians, just as much as it is part of us as Canadians.

As we go forward and talk with our fellow residents of the province and with fellow Canadians, how do we find a way, in

a constructive and positive approach, to express those views and have vigorous debate? Certainly over the last two months, in talking with municipal councillors and going into different communities, I have felt at times the concern, the anger, the resentment, at times, that have come from many people who are perhaps confused about the context of the debate around language. That is real and we have to face that. We have to admit that that is there. We have to deal with it. I think that is one of the reasons that we are elected. I believe we are leaders in our own communities and we must sit down and talk about what our minority language policy means.

I think that we build on a foundation, which I admit and accept began many years ago, long before this government came into place. Indeed, I had the privilege in the early days, in the mid-1960s and early 1970s, to work with a number of members of the Progressive Conservative and the New Democratic Party, as well as with the Liberal Party, who were seeking to find expression for the protection of minority language rights in this province.

So we have had a history. We have had a development in which, little by little, we have built a framework to protect minority language rights, to provide for French-language services. That, after all, is what Bill 8 is all about, and that, I think, is what we seek to ensure in our province, as we would seek to see it ensured in the province of Quebec with respect to the English-speaking minority, New Brunswick, Manitoba, wherever—practical, sensible, but coming in behind the protection of minority language rights.

I think that we have been able in this province, through debate—much public debate over the past 25 years, all across the province and in this Legislature—we have found the way to develop educational services, we have found the way to develop judicial services, we have found the way to develop provincial government services, and I think all of us in this chamber can take great pride in what we have accomplished, and I believe we can take pride in the situation that we have today.

Can we do better? Of course we can. Is there more to do? Of course there is. Can the government be in a position to explain more clearly, if people are not sure that they fully understand? Of course we must do that. We must not be afraid of the fact that at times we do not always explain things as well as we would like. Let us not look upon that as a failure, but rather as a challenge that all of us have to do a better job. I certainly see that as part of my own particular responsibilities.

But let's not lose sight of the fact that in doing this we have a certain vision of Canada. We have a vision of where we want to go in which the fundamental respect of minority language rights is as important for this legislative body as it is for all others. When we go as political leaders, as community leaders, to discuss this issue, let's put it in the context that as Canadians we do not approach it from an overly narrow perspective but rather look at it in that broader context, which is: Where is Canada going? What kind of Canada do we see after the year 2000? What are the things that we can be doing to ensure that English- and French-speaking Canadians have a fundamental set of linguistic rights that are protected?

J'aimerais dire aussi à nos compatriotes de langue française qu'il est très important — avec les changements qu'on vient de voir dans notre province depuis les 25 dernières années — de voir que nous, pas simplement comme gouvernement mais comme l'Assemblée législative de la province de l'Ontario, allons continuer à appuyer la protection des droits minoritaires dans notre province, que c'est extrêmement important et que ça doit rester une priorité. Comme d'autres députés l'ont exprimé

aujourd'hui, l'importance au Canada de démontrer une ouverture d'esprit, de chercher un «vouloir-vivre», ensemble, entre eux, Canadiens d'expression française et Canadiens d'expression anglaise.

C'est tellement important que nous devons toujours nous assurer, quand nous discutons de ces questions en public, que ce sont des discussions qui traitent des principes de base et que nous disons à nos compatriotes, soit ceux de langue française ou ceux de langue anglaise : mais pourquoi voulons-nous protéger les droits minoritaires ? Pourquoi est-ce si important pour le Canada ? Je pense que c'est en répondant à ces questions que nous voyons que la Loi 8, les changements dans le domaine de l'éducation, les changements dans le domaine judiciaire ont été appuyés par tous les partis politiques de cette Assemblée. C'est pourquoi il est si important que nous continuions notre travail.

I accept fully the statement of principle. I have been on a public platform with the leader of the third party and I have heard him speak eloquently in defence not only of the principles of Bill 8 but indeed of Ontario's linguistic policies. He has recognized the contribution of his own party and that of the New Democrats and the Liberals, so I think there is that agreement on principle.

What we have left then is a question on the procedure: What is the appropriate way that we go forward to try to ensure that not only do we continue with our public debate but that we are in a position to ensure that others can participate in a forum which is going to allow us to move ahead?

There are other suggestions that have been brought forward that need to be discussed. We have many different mechanisms within this chamber, and some have been proposed as well by the New Democratic Party.

What is required with the motion that we have before us is, in fact, more discussion. As a draft, as part of a discussion among the three leaders, this could have led to something that we would all have been in a position to support today, but as yet it is not what we see as being the most useful way of going forward. So for that reason I share with the Leader of the Opposition his views in terms of why we have to continue to work together in seeking other approaches.

#### 1750

But, in dealing with this today and resolving to go on to continue to find agreement, let us resolve that it is a responsibility that each of us has as a legislator to ensure that when we are discussing this issue with our constituents in town hall meetings and the like, we speak very clearly to what it is this assembly is trying to do, and that is to provide French-language services for the people of this province in the designated areas in a targeted and focused way, in a fair and reasonable way, because we want to reflect within our own province the bilingual and multicultural elements of our Constitution and of the charter.

If we can do that, I think then we have a real opportunity to bring people together again in support of Ontario's historical linguistic policy and we can ensure that the two linguistic communities are going to be able not only to live together but to work together and contribute to a strong and united Canada.

Mr Brandt: The debate that we are engaged in this evening is necessary for one very compelling reason, and that is, for the past three years the government has not, in my view, done an adequate job of explaining Bill 8 and the extension of French-language services in the province.

I have heard some speakers earlier refer to what they perceive to be some hidden agenda. I would say to all members of

311

this House, as a colleague and as someone who has worked with them, that I have never been more sincere in saying that there is no hidden agenda. There is no ulterior motive. Our motion, our resolution, was very specifically and very narrowly intended in order to bring all members of the House on side as it relates to what we believe to be a very important and a very critical issue in this province.

I listened carefully to what the member for Ottawa East had to say. He is a friend and a colleague and someone who has worked hard for Bill 8. He indicated that he felt that he was perhaps on trial after having spent two or three years working with this bill, and I can understand those kinds of frustrations. I think that in this debate this evening it is important for us to perhaps identify where the problems are, where Bill 8 has come off track to a certain extent, and where perhaps some of that healing process, which I think is necessary, can be applied.

It is easy for members of this Legislature to blame the municipalities or the local councils for some of the things that have happened which cause some of us concern in this House. There have been—the latest number that I have heard—some 56 municipalities that have passed English-only resolutions. In speaking with some of those municipalities—and my colleagues put forward this argument rather eloquently earlier—one of their concerns, which I believe is a legitimate one, is a concern over the cost.

They have had some programs passed on to them, offloaded if you will, which concerns them, and they can see a hidden agenda not on our part but on the part of the government as it relates to the extension of French-language services and placing that, if you will, as another responsibility on local governments.

There is also some confusion about the implementation and the regulations as they relate to the bill itself. But it was my view that we could overcome some of those regulatory nuances, some of the implementation problems, if we sat down and perhaps dialogued with the public with respect to what the real intent was of Bill 8. I believe that in so doing we would be able to work towards strengthening, if you will, the public's essential understanding of this bill and strengthening as well the attitude and the feeling of the people of Ontario as it relates to the extension of French-language services. At the moment, let us recognize the reality that there is a great deal of anger, a great deal of rancour and a great deal of misunderstanding out there that we have to deal with.

The resolution that I have put forward, again in a spirit of goodwill, is not intended in a partisan way but in a spirit of goodwill, hopefully to address some of those growing concerns. We may have different ways of approaching a solution to the problem, but I believe that there is essentially, among the 130 of us here in this House, an interest in finding a way to solve the problem.

Let me first of all clarify the resolution. It is not about Meech Lake. Some have suggested that this resolution is intrinsically interwoven into the Meech Lake debate, and it is not. Meech is about, as we all know, Quebec becoming part of the Constitution of this country. Bill 8 is about the extension and the provision of French-language services.

My motion is based on two very critical points. It is based on the Ontario Legislature reaffirming its support for Frenchlanguage services where numbers warrant, and second, it very clearly points out, in order to overcome some of the misunderstanding on this point, that it is not intended to apply to municipalities. I see no fundamental disagreement in this House on those two points, having listened to virtually all of the speakers to date, either in my office or in this House.

We believe that an all-party committee would be the best forum for dealing with some of these concerns. I have to say to members that after some three years of attempting to get some agreement on this fundamental point, it was through a feeling of frustration, through the delays that were coming forward at simply every turn we took, and certainly the misunderstandings that were starting to heat up with respect to Bill 8, that caused us to move ahead, as some have suggested, perhaps, in a precipitous manner as it relates to this particular bill.

We did so with this resolution because we felt some action was necessary. We also knew as a party that both of the other parties had rejected out of hand any suggestion of a committee. The very word "committee" struck fear into some members' hearts, the very idea of opening up the dialogue and having people communicate.

Here is a Legislature where we have spent dollars in intervenor funding with a view towards getting some participation on important matters such as the environment, yet when it comes to a matter like Bill 8 not only are we not prepared to spend any money, but we are not even prepared to open it up to the public.

I have not been given nearly adequate time to cover the view of our party as it relates to this resolution. Let me say by way of a final appeal, if I might, that on the part of our party there is no hidden agenda. We have very clearly put forward the principles that we believe in as they relate to the extension of French-language services. We also believe that some community and public dialogue is essential on this issue if we are to find some level of accommodation with our citizens of this great province of ours.

#### 1802

The House divided on Mr Brandt's motion, which was negatived on the following vote:

La motion de M. Brandt, mise aux voix, est rejetée :

#### Ayes/Pour-12

Brandt, Cunningham, Eves, Harris, Johnson, J. M., Marland, McCague, McLean, Pollock, Runciman, Sterling, Villeneuve.

#### Nays/Contre-73

Allen, Ballinger, Beer, Black, Bossy, Brown, Bryden, Campbell, Caplan, Carrothers, Charlton, Chiarelli, Collins, Conway, Cooke, D. R., Cooke, D. S., Elliot, Elston, Farnan, Faubert, Fawcett, Fleet, Fontaine, Grandmaître, Grier, Haggerty, Henderson, Hošek, Kanter, Kerrio, Keyes, Kormos, Kozyra, Laughren, Leone, Lipsett, MacDonald, Mackenzie, Martel, McClelland, Miclash, Miller, Morin, Morin-Strom, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Oddie Munro, Offer, O'Neill, Y., Owen, Patten, Philip, E., Phillips, G., Polsinelli, Rae, B., Ray, M. C., Reville, Riddell, Roberts, Ruprecht, Smith, D. W., Smith, E. J., Sola, Stoner, Sullivan, Sweeney, Velshi, Ward, Wildman, Wilson, Wong.

The House adjourned at 1808.

#### **ERRATUM**

No.	Page	Column	Line	Should read:
8	276	1	42	Mr McCague: Mr. Speaker, I would like to move that we
				adjourn.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)

Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Beer, Hon Charles, Minister of Community and Social Services (York North L)

**Black, Hon Kenneth H.,** Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

**Bradley, Hon James J.,** Minister of the Environment (St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of

the Whole House (Oshawa NDP) Brown, Michael A. (Algoma-Manitoulin L)

Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L) Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L) Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills

Development (Renfrew North L)

Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP) Cordiano, Joseph (Lawrence L)

Cousens, W. Donald (Markham PC)

Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)

Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L) Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L)

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Hart, Hon Christine E., Minister of Culture and

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Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

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McLean, Allan K. (Simcoe East PC)

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(Carleton East L)

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Nixon, Hon Robert F., Deputy Premier and Treasurer of

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(Scarborough-Agincourt L)

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Reville, David (Riverdale NDP)

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Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

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Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

Vacant, Ottawa South

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 $\begin{aligned} & Grandmaître, \, Bernard \, C., \, assistant \, to \, the \, Minister \, of \, Health \\ & (Ottawa \, East \, L) \end{aligned}$ 

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- Ruprecht, Tony, assistant to the Minister of Community and Social Services (Parkdale L)
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Ombudsman: chair, Mr Velshi; vice-chair, Mr Kanter; members, Mr Bossy, Ms Bryden, Messrs Carrothers, D. R. Cooke, Cousens, Henderson, MacDonald, Philip and Pollock; clerk, Franco Carrozza.

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Parliamentary precinct: co-chairs, Hon Mr Edighoffer and Mr Epp; members, Messrs Breaugh, Reycraft and Villeneuve; clerk, Smirle Forsyth.

#### **CONTENTS**

#### Monday 2 April 1990

Members' statements	Health professions
St Joseph's Training School for Boys	Mrs Caplan
Mr Kormos	Electricity demand and supply
Automobile insurance	Mr Charlton
Mr McLean	Mr Peterson
Education financing	Correctional facilities
Mr Faubert	Mr Cureatz
Nuclear power	Mr Patten
Mr Charlton	Capital funding for schools
Education financing	Miss Roberts
Mr Jackson	Mr Conway
Direct flights	Wine industry
Mr Chiarelli	Mr Wildman
Whyy Mee! Foundation	Mr Ramsay
Mr Philip	Mr Kormos High technology
Use of public funds	Mr Sterling
Town of Elliot Lake	Mr Peterson
Mr Brown	Access to professions and trades
MI DIOWII	Mrs E. J. Smith
Statement by the ministry	Mr Wong
Statement by the immotify	Inquests
Ontario Law Reform Commission reports 283	Mr Mackenzie
Mr Scott	Mr Offer
	Closing of campgrounds
Responses	Mr Runciman
•	M. Dissis
	Mr Black
Ontario Law Reform Commission reports 282	MI Black
Ontario Law Reform Commission reports	Petitions
Mr Kormos Mr B. Rae Mr Sterling	
Mr Kormos Mr B. Rae	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston Niagara Escarpment	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier  . 285	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation  . 286	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston Niagara Escarpment Mrs Grier Mr Peterson Rental accommodation Mr Brandt  286 Mr Brandt	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston Niagara Escarpment Mrs Grier Mr Peterson Rental accommodation Mr Brandt Mr Sweeney	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation Mr Brandt Mr Sweeney  Ministry call to insurance company . 286	Petitions  Children's services
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation Mr Brandt Mr Sweeney  Ministry call to insurance company Mr Runciman  . 286  Mr Runciman	Petitions   293
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation Mr Brandt Mr Sweeney  Ministry call to insurance company Mr Runciman Mr Elston	Petitions   293
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation Mr Brandt Mr Sweeney  Ministry call to insurance company Mr Runciman Mr Elston  Education financing  287	Petitions         Children's services       293         Mr Brandt       293         Mr Brandt       293         Mr Brandt       293         First reading         Flag Day, 1990, Bill 128       293         Mr Wildman       293         Agreed to       293         Opposition day         French-language services, motion 1       293         Mr Eves       294         Mr Grandmaître       294
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation Mr Sweeney  Ministry call to insurance company Mr Sweeney  Ministry call to insurance company Mr Runciman Mr Elston  Education financing Mr D. S. Cooke	Petitions         Children's services       295         Mr Brandt       295         Mr Brandt       295         Mr Brandt       295         First reading         Flag Day, 1990, Bill 128       29         Mr Wildman       29         Opposition day         French-language services, motion 1       29         Mr Eves       29         Mr Grandmaître       29         Mr B. Rae       29
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation Mr Sweeney  Ministry call to insurance company Mr Sweeney  Ministry call to insurance company Mr Runciman Mr Elston  Education financing Mr D. S. Cooke Mr R. F. Nixon	Petitions         Children's services       295         Mr Brandt       295         Mr Brandt       295         Mr Brandt       295         First reading         Flag Day, 1990, Bill 128       29         Mr Wildman       29         Opposition day         French-language services, motion 1       29         Mr Eves       29         Mr Grandmaître       29         Mr B. Rae       29         Mr Villeneuve       29
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation Mr Brandt Mr Sweeney  Ministry call to insurance company Mr Runciman Mr Elston  Education financing Mr D. S. Cooke Mr R. F. Nixon  Hospital financing  288	Petitions         Children's services       293         Mr Brandt       293         Mr Brandt       293         Mr Brandt       293         First reading         Flag Day, 1990, Bill 128       293         Mr Wildman       294         Opposition day         French-language services, motion 1       29         Mr Eves       29         Mr Grandmaître       29         Mr B. Rae       29         Mr Villeneuve       29         Mr Sweeney       30
Mr Kormos Mr B. Rae Mr Sterling Mrs Marland  Oral questions  Ministry call to insurance company Mr B. Rae Mr Elston  Niagara Escarpment Mrs Grier Mr Peterson  Rental accommodation Mr Sweeney  Ministry call to insurance company Mr Sweeney  Ministry call to insurance company Mr Runciman Mr Elston  Education financing Mr D. S. Cooke Mr R. F. Nixon	Petitions         Children's services       293         Mr Brandt       293         Mr Brandt       293         Mr Brandt       293         First reading         Flag Day, 1990, Bill 128       293         Mr Wildman       294         Opposition day         French-language services, motion 1       29         Mr Eves       29         Mr Grandmaître       29         Mr B. Rae       29         Mr Villeneuve       29

2 APRII	L 1990, 317
Mr Velshi	Ontario Hydro labour dispute
Mrs Cunningham	Member for Beaches-Woodbine
Miss Martel	Tabling of information
Mr Brandt	Adjournment
Other business	Alphabetical list of members
	Parliamentary assistants
nnual report, Commission on Conflict of Interest 281  Deputy Speaker	Members of standing and select committees

#### TABLE DES MATIERES

Le lundi 2 avril 1990

Premiere lecture	Jour reserve a ropposition
de 1990 portant sur le Jour du drapeau national, projet de loi 128	Services en français, motion 1       293         M. Grandmaître       294         M. B. Rae       296         M. Villeneuve       299         M. Beer       309         Rejet de la motion       311









10 90 Ontario 10 90

# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Tuesday 3 April 1990



## Speaker

Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

## Assemblée législative de l'Ontario

Deuxième session, 34e législature

### Journal des débats (Hansard)

Le mardi 3 avril 1990

Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

#### Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 3 April 1990

The House met at 1330.

Prayers.

#### **MEMBERS' STATEMENTS**

#### COURT FACILITIES

Mr Kormos: On 30 March 1990 the Ministry of Labour, pursuant to the Occupational Health and Safety Act, effectively shut down the provincial courtroom in Niagara Falls, one of the satellite courts in the judicial district of Niagara South. The reason was that it was unsafe for both the public and the police force because prisoners in custody and the public share the same corridors and public areas.

That courthouse is being used and has been used five days a week hearing criminal trials, family court matters, small claims court and youth court matters. Many of the people in criminal court matters, and indeed perhaps even more so in youth court matters, are necessarily in custody. These people will no longer have their trials in that provincial courthouse. The approximately 100 to 120 accused persons who are scheduled to appear in that provincial court on Thursday of this week will not have a courtroom ready there to receive them.

Personnel for the Attorney General are calling defence counsel and saying, "Would you please advise your clients to attend at the St Catharines courthouse?" in another jurisdiction. That is simply not acceptable and the Attorney General should know better. They are telling defence counsel that bail hearings are going to be held in the bowels of the police station where the public is not admitted. That is simply not acceptable and the Attorney General should know better.

The Attorney General knew there was a crisis in Niagara with respect to courtroom facilities long before 30 March 1990. It is about time he did something about it.

#### DEVELOPMENTALLY DISABLED

Mrs Cunningham: We have all heard this government state that it is committed to deinstitutionalization. The special services at home program was initiated to demonstrate that institutionalization could be avoided with the appropriate supports in the home. Without this essential service, many families with disabled children would be forced to consider placing their children in institutions.

Last May the former Minister of Community and Social Services promised the public that he would broaden the support, not only to families that have developmentally handicapped children but also to those same families whose handicapped children become adults and to families who have physically handicapped children as well.

Many families can benefit from this support service. I urge the minister to fulfil the promise and address this issue as a priority within his budget. Families have been waiting too long for this government to act on its promise. We are all aware of the facts. Institutionalization is far more expensive than parental relief. This parental relief program must not be seen as a cost to society. It should be viewed as an investment in the future of many handicapped citizens and as a program that allows such people to remain in the much preferred setting of the family rather than in an institution.

#### RIDING OF CORNWALL

Mr Cleary: I represent an area of the province that many times suggests it is forgotten by Toronto. Perhaps one should note that it is in eastern Ontario that much of our rich heritage can be found. The oldest grammar school can be found in the city of Cornwall as well as one of our older churches.

I am proud to represent the riding of Cornwall, which also sports a fair portion of the St Lawrence Parks Commission. Each year the parks attract thousands of visitors to camp and stay for a day. We also have the Robert Saunders generating station, a huge hydro complex that draws hundreds of people each day to see an example of Canada-US co-operation.

As well, there is the north and south span of the Seaway International Bridge stretching between Cornwall and Massena. New York state is one of the major gateways for people coming into Ontario from the United States.

Yet the lure of my riding is not only for the Americans; we also have the pleasure of hosting other international visitors and Canadians alike.

I am sure the members will appreciate that the tourist information offices record thousands of requests each year from all over the world for information on Ontario. That obviously includes the many specific requests from Cornwall and the surrounding area.

I would like to extend an invitation to experience the warm welcome in eastern Ontario.

#### NON-GLARE LIGHTING

Mr Wildman: What is wrong with the Minister of Transportation? How is it the minister is unaware, despite the fact that the township of MacDonald, Meredith and Aberdeen Additional—Echo Bay—has been attempting to persuade the Ministry of Transportation to erect non-glare lights on the Echo Bay bridge on Highway 17 for some years? How is it that the Minister of Transportation is not aware? Why is it that we have repeated accidents with whiteouts every winter and fog in that location in the spring and the fall, quite normal, and yet the Ministry of Transportation refuses to act?

Last year the ministry refused to install lighting, saying it did not have any proper lights that would effect proper visibility. This year it refused once again, and just within a week of the ministry again refusing there was a five-car pile-up in a whiteout on the Echo Bay bridge.

It is obvious action must be taken by the Ministry of Transportation. It is unfortunate the minister seems to be unaware of the situation. I do not know what is wrong with his staff or with his office, but somehow we have to get the minister lighted up.

1340

#### SOCIAL WORK

**Mr Harris:** I wish to draw the attention of the members of this assembly to the need for a Social Work Act in Ontario. This matter has been under review for four years now and the minister's response is long overdue.

The Ontario Association of Professional Social Workers, the Ontario College of Certified Social Workers and an impressive coalition of 50 organizations, including the Ontario Association of Children's Aid Societies, the Ontario Association of Family Service Agencies and the Association of Children's Mental Health Centres, representing thousands of service providers and tens of thousands of service recipients, are still waiting for a decision.

Ontario is the only province in Canada without some form of regulation for the practice of social work. The consequences of unregulated social work are unacceptable, frightening and at times tragic. We have had many horror stories documented by the media and service providers themselves, and yet after years of intensive discussion and review the minister still refuses to act.

What could be more important than protecting children, families and those in need of care? The people of Ontario deserve an explanation as to why the Peterson government refuses to give priority to this important matter. At the very least the time has come for the minister to get off the fence, make a decision and present the people of Ontario with a timetable for action.

#### SCOUTING IN CANADA

Mr Pelissero: Adam Pelissero is a member of the First Jordan Cub Pack. Tonight he and I will be attending the annual parent and son banquet and I would like to pay tribute today to the cub and scout movement in Ontario.

It was over 80 years ago now that Christopher Corliss, a single father with a son, became inspired by the writings of Baden-Powell and began stopping boys in the streets of Toronto to discuss scouting.

Scouts began meeting in the old armouries on University Avenue and marching behind military parades. By 1909 scouts were meeting across Toronto in schools, homes and even railway boxcars.

Lord Baden-Powell devoted the majority of his life to the promotion of a world brotherhood through the scouting movement. He believed no better way of world brotherhood could be found than by enrolling future citizens of various countries and different languages in the boy scout movement, which knows no national boundaries.

The history of Canadian scouting is a litany of good deeds, community services and acts of heroism.

Today scouting also includes Beavers, between the ages of five and eight, and Venturers, between the ages of 14 and 17. Age groups have been narrowed to allow boys to develop at their own pace—boys and girls, that is; Venturers and Rovers are both co-ed groups today. These and other changes have been in response to a changing society.

I encourage all members of the Legislature to join with me in recognizing this vital organization.

#### RED SQUIRREL ROAD

**Mr** Wildman: When is a road officially a road? In December the Ontario government announced that construction of the Red Squirrel Road was completed. On 21 December the cabinet quietly passed an order in council extending construction of the road, while telling the public it was finished.

The order states that "since factors beyond the control of the Ministry of Natural Resources delayed completion," it had to be issued. The order states further that the following impacts were considered in making a decision to approve an extension: economic viability of sawmills, negative impact on other businesses and negative impacts on local communities.

Business and industry were the focus of two out of the three considerations. Since the native community opposes construction of the road, consideration appears to have been given only to non-native communities. Once again the natives have been considered irrelevant.

The order's existence means the Ministry of Natural Resources intends to be out on the road as soon as weather permits. It does prohibit the use of the road by logging trucks until the work is done. There is likely to be significant environmental damage due to spring runoffs, so to prevent further damage full construction will not begin until the runoff is completed. This means the Ontario government must officially declare the road finished once again, even though it said it was done in December. Why the secrecy about this order in council?

#### CONSTITUTIONAL ACCORD

Mr Eves: Mr Speaker, as you are undoubtedly aware, the all-important date of 23 June is only 80 days away. No, I am not referring to the Liberal national convention—I said "important date." The date to which I refer is that for ratification of the Meech Lake accord.

Members of this House, at least those who were paying attention, may recall the minority recommendations of our party in the select committee on constitutional reform. Those recommendations were intended to provide a bridge by which the Premier might attempt to meet some of the objections of other provinces with regard to the accord, ones that he finds interesting now that they are brought forward by Premier McKenna, I might add. He voted against them in this House; that is on record.

Those recommendations included a reference to the Supreme Court of Canada on the effects of the accord on individual rights and freedoms, recognition of the multicultural nature of Canadian society and recognition that aboriginal peoples constitute a distinct and fundamental characteristic of Canada.

When we brought those recommendations forward, I must admit I was somewhat surprised that the Premier expressed little interest. I recently heard of his insensitivity towards native Canadians while speaking on racism before a group which included representatives of the native community.

Speaking before a recent conference on racism, the Premier told how it was his forefathers who built the nation and created a strong tradition of tolerance, despite the obvious representation of native groups in the audience and who initiated the tradition of tolerance in Canada. I had hoped that his oversight having been pointed out, he would have admitted his error.

I am no longer surprised that he would not consider an amendment to the accord that deals with aboriginal people.

#### MARKHAM STOUFFVILLE HOSPITAL

Mr Ballinger: On Saturday afternoon I had the pleasure, along with the Minister of Health and the member for Markham, to be a platform guest at the official opening of the newly completed Markham Stouffville Hospital.

For almost 20 years the residents of both the communities of Markham and Whitchurch-Stouffville never lost sight of their goal of obtaining a new hospital. Consequently, almost 1,000 interested citizens and special guests were also in attendance to join in the long-awaited celebration.

The Markham Stouffville Hospital is a result of a co-operative process involving the Ministry of Health, the region of York, the towns of Markham and Whitchurch-Stouffville, the hospital board and, most important, the residents of both communities.

The total cost of construction was \$74 million, of which the Ministry of Health committed \$44.6 million and the region of York contributed \$22.3 million. The remaining \$7 million was raised by the hard work and imagination of both the communities of Markham and Whitchurch-Stouffville.

Seven million dollars is a lot of money for any community to raise, especially since most of it was raised when the hospital was still nothing more than a dream. It speaks well about the determination of all the people involved who helped make this dream a long-awaited reality.

As the member of the Legislature for the riding of Durham-York, I want to add my personal congratulations and sincere best wishes to the hospital board on this very special occasion.

#### STATEMENTS BY THE MINISTRY

#### TORONTO WATERFRONT DEVELOPMENT

**Hon Mr Sweeney:** My statement deals with an update on Harbourfront. Members will recall that on 13 December 1989 I imposed a ministerial zoning order on Toronto Harbourfront lands.

In imposing the zoning order I directed a provincial team under the direction of Duncan Allan, the special adviser to the Premier on Toronto waterfront development, to seek a better solution for Harbourfront, and I asked for a full report by 31 March. In light of that deadline and of recent media reports, I believe it would be appropriate to update the House.

Our provincial team had three objectives. First, access to the waterfront must be returned to the people of Ontario, meaning that the three "pipeline" projects south of Queen's Quay had to be removed. Second, I agreed with many in the arts and cultural community that good programs should not depend on bad buildings. Harbourfront must be endowed sufficiently to permit its excellent core programming activities to continue. Third, the city of Toronto must be accorded fair treatment of its claims for park lands and revenues from the Harbourfront site.

I am pleased to inform this House that our report has achieved those objectives, which are consistent with David Crombie's interim report on the future of Toronto's waterfront.

#### 1350

On 23 March I presented the provincial report and its recommendations to the Honourable Elmer MacKay, federal Minister of Public Works. The minister asked for time to review the recommendations prior to their release to the public. I believe this was an appropriate request.

I have spoken with Toronto Mayor Art Eggleton to assure him that the objectives of the provincial recommendations—returning the waterfront to public access, fully protecting valuable programs and addressing the city's valid interests in park lands and revenues—are clearly workable.

I have agreed to a request from the federal minister that the zoning order remain on the site until he and his officials have reviewed the provincial recommendations. Details of the report will be kept in confidence until the federal minister completes his review, expected within 30 days. I will further update the House when it is appropriate.

#### TECHNOLOGICAL TRAINING

Hon Mr Conway: This government recognizes the important role technology will play in ensuring Ontario's prosperity in the changing labour market of the 1990s and beyond.

Ontario's college system is a vital link in our education and training systems. It is at the college level that our students can build upon the basics learned in our elementary and secondary

schools. Our colleges currently offer more than 400 technician and technologist programs. In 1989, 21,000 Ontarians were trained by our colleges in specialties ranging from aviation to robotics.

As the economic significance and impact of technology increases, it is essential that we enhance the range and quality of the programs we offer. Therefore, I am pleased to announce today a new \$4-million fund that will provide additional revenue to our colleges so they might improve existing programs and to enable them to develop new programs to meet emerging needs.

The funds will also help our colleges acquire new equipment to update courses and to provide faculty with opportunities for professional development and consultation with industry.

Today's announcement is an important step in strengthening technological training in our schools, in our post-secondary institutions and in the workplace. I am confident that the initiatives currently under way at all levels of education, and in a wide range of training options, will ensure that Ontario has the skilled people it needs to remain competitive in the global economy of the 1990s and beyond.

Staff from my ministry will be contacting colleges with the details of this year's operating grants in the coming days.

#### **RESPONSES**

#### TORONTO WATERFRONT DEVELOPMENT

**Mr B. Rae:** It is rather an extraordinary announcement from the Minister of Housing and Municipal Affairs. He puts us, in the opposition, literally in an impossible position, and it makes it very difficult for us to respond, but not impossible.

I do not know how we are supposed to respond to a statement from the minister in which he says he has a report in his hand, he can assure us the report is very good and very positive, and he can assure us it does all kinds of wonderful things with respect to Harbourfront, but unfortunately he cannot show it to us. We simply have to take him at his word that the minister and Elmer MacKay alone are able to see a report, enough of which, I might say, has been leaked to the press that the press seems to be ahead of everybody else in terms of the information that it has

If it is good enough for people within his ministry, or indeed elsewhere, to leak information to the press, that information ought to be made available to the members of this House. We ought to have an opportunity to assess for ourselves whether or not the government has met the tests which it set out on 13 December when it imposed a ministerial zoning order on the Harbourfront lands.

It is now accepted throughout Ontario, I think, that governments generally have blown a golden opportunity with Toronto's Harbourfront, that building has been excessive and that the greed of developers has exceeded the public interest and the common interest. It is very difficult for many people even to get down and see the water because the water is blocked by all the buildings that have been put up.

I am not satisfied with the minister's statement today. He has obviously put himself in an embarrassing position, announcing that the government has done a wonderful thing. It is so wonderful that they cannot show it to us. If the minister is going to make this kind of statement, he has an obligation to release the report. That is the very least he could do.

Mr Laughren: I agree with my leader.

#### TECHNOLOGICAL TRAINING

Mr Laughren: I wish to respond to the statement by the Minister of Education, Colleges and Universities and Skills Development. The last part of the minister's statement is the most important one: "Staff from my ministry will be contacting colleges with details of this year's operating grants in the coming days." That is the only really important part of the statement, because if you start analysing the numbers, with 21,000 Ontarians receiving skills training through the Ministry of Colleges and Universities in 1989, according to the minister's numbers, that works out to \$200 per student that is being injected into the system. I do not think that is going to be adequate to solve the problem.

It is strange that for the second week in a row, I think just on the eve of the release of the Vision 2000 report, which is supposed to be taking the colleges to the year 2000, the minister is standing in his place and making statements. It will be interesting to see when that report comes out whether or not the minister is pre-empting that report, because a lot of hard volunteer work has gone into that, a co-operative enterprise on behalf of the faculty, the colleges themselves and, of course, by the Council of Regents. It will be very interesting to see just what comes out of that report.

There are very serious problems in our community colleges. The minister need only listen to the discussions going on at Humber, Cambrian and other colleges in the system to know that much more work needs to be done in our colleges. There needs to be a new injection of funds into our community colleges.

Hon R. F. Nixon: Pardon?

**Mr Laughren:** I know the Treasurer resists that, but he should go and talk to the people on the Premier's Council and see what they think about the level of funding being provided to the post-secondary institutions in our province. It is truly shameful and inadequate.

#### TORONTO WATERFRONT DEVELOPMENT

Mr Harris: I want to respond to the Minister of Municipal Affairs and Housing. On this historic day when the member for Nickel Belt agrees with his leader, it is appropriate that I agree with his leader as well.

Mr D. R. Cooke: No one in your party would agree.

Mr Harris: If I could only convince my own party, I would be all right over the next month or two.

Here we are with three stated objectives that, quite frankly, I agree with. They are objectives the minister set out, and I agree with those objectives. But as the Leader of the Opposition has pointed out, the minister for some reason or other thinks it is important to rise in the House to say, "Look, I set out to do these three things and I want to assure you all I have accomplished that, but I will not show you the report."

Usually that occurs when there is a considerable amount of doubt from some people about whether the objectives in the report have been met. What you do is secretly try to get a deal with all the key players behind closed doors so they will all agree before you allow the public an opportunity to take a look. Is it not the whole objective that it is the public's waterfront? Why are we so afraid to let the public judge whether the minister has met the three objectives?

Secondly, I object very strongly that, while that report is secret, we have to wait another 30 days to comment on it. I would make a suggestion—I am not sure if the Leader of the

Opposition was making it—that if the minister is going to leak things to the media and he makes a deal not to give it to us, why does he not just leak it to us as well? At least then we will be on the same footing.

I want to say three or four things. I find it appalling that while this minister and this government are quick to criticize others—and I applaud the criticism of the waterfront—they are going ahead and taking green space off the waterfront. The Lakeshore Psychiatric Hospital is a totally provincial project, green space, open land, on the waterfront, and this government is going to fill it up with housing. It is going to proceed with a dump in the Rouge, which eventually ends up down on our waterfront. They refuse to protect the headwaters of the Rouge north of Steeles Avenue, which is going to end up on our waterfront. The Whitevale dump where the creeks are rolling by—and they refuse to have a full environmental assessment on that—that is all going to end up down on our waterfront.

Interjections.

The Deputy Speaker: Order, please.

Mr Harris: The government cancelled the one program in existence that was effective in 1985 to encourage and assist municipalities to reclaim their waterfront. The first thing they did when they got into office was to cancel that program—not much commitment on things they have control over towards waterfront reclamation for the people.

1400

#### TECHNOLOGICAL TRAINING

**Mrs Cunningham:** I have a response to the Minister of Colleges and Universities with his enhanced support for college technology programs.

Interjections.

The Deputy Speaker: Order, please.

Mrs Cunningham: Mr Speaker, do we get time added here for the interjections of the other side?

**Hon Mr Ward:** We will give it to you after orders of the day.

**The Deputy Speaker:** Order, please. I will consider adding time if the member cannot get her statement forward.

Mrs Cunningham: Regarding the announcement of enhanced support for college technology programs by the minister of all education, I would expect any money that would offer our young people additional opportunities for training beyond what they have now so we can be competitive in a global economy is extremely appreciated.

The real problem with this is the process. What happened to Vision 2000? Was that not a public process where we asked volunteers from community colleges, the education systems and universities to advise the government on what should happen next? What is this focused or targeted funding all about? No one really understands the statement today.

What we really need are more opportunities for young people to be trained. I am not certain about the faculty training. Of course, that is important, but right now the ministry should know that between 1983 and 1988, college enrolment in technological programs declined by 25 per cent. If this money is an opportunity for more young people to be educated in technological programs, if it will extend into apprenticeship training, then I am all in favour of it. But we do not know that. I

think the process is wrong when the minister drops all this money in the House today without telling us specifically what it is for. This is what the government is all about.

#### **ORAL QUESTIONS**

#### GOODS AND SERVICES TAX

Mr B. Rae: I have a question for the Treasurer. I asked the Treasurer some questions—I wonder whether he will recall—on 15 and 16 November. I specifically asked him certain questions with respect to the relationship between the goods and services tax being imposed by Ottawa and the sales tax, which has been a long-standing source of provincial revenues.

When I suggested to the Treasurer that under the Ontario budget an incredible amount of money was going to be taxed under the GST that would not be covered by the sales tax, the Treasurer very explicitly told me, "It is not our policy to tax those things." When I began to raise questions about the possibility of harmonizing the GST and the sales tax, he said very explicitly that I was tilting at windmills and that there was no such plan by the government.

I wonder whether the Treasurer can tell me, first, whether that is still the case; that is, is the government planning or contemplating any change in the base of the sales tax? Second, can he explain why Martin Goldfarb's organization is apparently asking citizens of this province how they would feel about a reduction of the sales tax from eight per cent to six per cent and a very serious expansion of the base of the sales tax to make it similar to the GST?

Hon R. F. Nixon: The government, and certainly the Treasurer and the Treasury, is not contemplating a change in the sales tax. How come he asked two questions under the one order, Mr Speaker? But since you have said that is in order, I really do not know why Mr Goldfarb is conducting this investigation. Probably somebody has hired him to do it.

Mr B. Rae: I do not know either who Mr Goldfarb is doing the poll for, except it is a matter of record that Mr Goldfarb is a pollster for the Liberal Party of Ontario, he also does a lot of polling for the government of Ontario and he does a lot of polling for a variety of ministries. I do know that.

The information we have is that specific questions with respect to the relationship between the sales tax and the GST have been asked and they relate very explicitly to the fact that on page 101 of the Treasurer's last budget, in terms of the papers, he himself established just how much money Ontario is leaving untaxed because the sales tax does not apply to a number of items upon which the GST applies. I ask the Treasurer if he can explain how it would be that Mr Goldfarb would be asking these questions if, indeed, the government has no such plans.

**Hon R. F. Nixon:** We have no such plan, and presumably the client for Mr Goldfarb has asked him to ask those questions.

Mr B. Rae: I wonder if the Treasurer can tell us how it is that his position has changed so dramatically with respect to the question of his willingness to collect or not to collect the GST, to work for and with the federal government or not to work for and with the federal government. Can the Treasurer tell us categorically in the House today whether the government of Ontario is going to do what he himself suggested should be done, and that is that the federal and provincial governments should work together in terms of the collecting of the sales tax

and the GST? Is that still the Treasurer's position or has he now invented another pre-election position?

Hon R. F. Nixon: The cynicism of the Leader of the Opposition never fails to amaze me, and the fact that his memory is failing is probably not surprising. But the honourable member would know that a year ago the Minister of Finance for Canada phoned me and the other treasurers and said he was proceeding independently, without provincial co-operation or otherwise. Frankly, it was quite a relief as far as we are concerned, because he has gone forward with every intention to use the majority of the Progressive Conservative Party in the Parliament of Canada to implement the GST.

We have no plans to expand the base of our tax. The only additional thing I have said to the taxpayers and to the retailers is that if we can send on the tax money that is collected at identically the same time as our own is collected, we would like to be as helpful as possible. This does not mean the expansion of our base in any way. We do not intend to collect tax for haircuts, dry-cleaning or any of the many other areas where the government of Canada, with its intrusive tax, is going to proceed.

1410

#### MINISTRY OFFICIALS' ACTIONS

Mr B. Rae: My question is for the Minister of Financial Institutions. It is my information that William Star not only received a phone call from the minister's executive assistant with respect to the question of the letter that he wrote to the Premier and to the Minister of Financial Institutions, but that after he wrote this letter and had been contacted by Mr Howard for the first time, he also received a phone call from an examiner from the Ministry of Financial Institutions, who called to ask the name of the shareholder of Mr Star's company. Mr Star, having no idea as to why or how this information could or would be used by the ministry, agreed to give this information to the examiner and quite voluntarily gave this information to the ministry. It was after this that Mr Howard phoned the shareholder of Mr Star's company with respect to holding back the publication of the letter which was critical of the government.

Can the explain why information gathered by his ministry, not by his political staff but by his ministry officials, the civil service, the public service of Ontario, was used in this way against Mr Star?

Hon Mr Elston: I do not know that the honourable gentleman's facts are correct, but I will check into them to see what in fact has occurred. I do know that with respect to the issue of pressure by my office, I am satisfied that no pressure was exerted. It is my view that the insurance industry, which the members opposite have said we have knuckled under to all along, is well able to withstand any phone calls that might be made by a particular individual. That is not to say that I have asked my staff people to do that or anything, or that I condone any impression that may be left that pressure is being placed by my staff or otherwise. But I can tell the honourable gentleman that his question flies in the face of the presentations made by the member for Welland-Thorold, who says the insurance industry has us around the neck, so to speak. I can tell him that his alleging that one person in this government can pressure unduly the large insurance corporations flies in the face of their Mr B. Rae: What this issue is about is the abuse of power by the Liberal government and its attempt to manipulate this whole business, so that anybody who is critical of the Liberal Party or who steps out of line with what the Liberal Party wants and what the Liberal machine wants gets sat on. That is what this is all about; that is what the issue is here.

If minister has conducted such a thorough inquiry, how is it that a simple phone call from a member of my staff to Mr Star would reveal the very basic piece of information which I have just passed to the minister? Has the minister phoned either the shareholder or Mr Star to inquire as to the activities of his executive assistant? Has he, yes or no?

Hon Mr Elston: I have not spoken to Mr Star. He prefers to do communication through the media, and that is how he has been doing it. I have not called the shareholder, but I had indicated that I would be writing to the gentleman in question to offer the apology of my office in case there is some sense that pressure was exerted. But I am not going to be calling lest there be some sense that I am providing some undue pressure on the insurance industry.

I have obligations to deal with the insurance industry on behalf of the consumers. I am asked from time to time to exert the influence of my office on behalf of the people over there who want their constituents to have lower premiums. My staff and I will call and attempt to deal with those issues. In this particular case there has been no attempt to prevent Mr Star from doing whatever he wants. In fact, he does that; he is very independent. More than that, there is a whole series of independent oppositions to the bill, and the members opposite help to substantiate and encourage their activities. That is their job as an opposition.

Mr B. Rae: What kind of inquiry has the minister conducted? He told us yesterday that we did not need a legislative committee because he had been Supersleuth and had worked this entire thing out. The minister has just told us he has not spoken to Mr Star, the individual in question who was phoned; he has not spoken to the shareholder in the United States, who was also phoned. He was entirely unaware that Mr Star had also been contacted by his ministry officials asking him to give them information about the company. Just what kind of inquiry did the minister have in order to satisfy himself that no pressure was involved?

Hon Mr Elston: The honourable gentleman asks if I was satisfied about whether or not there was pressure unduly exerted by my office. I can tell him that because he suggests my staff person did something, or because a person who has indicated a certain position with respect to government involvement in auto insurance at all suggests that certain things were done, I am not going to then start running around calling people, because the next accusation will be that the Minister of Financial Institutions is exerting undue influence by calling shareholders and other people. That is the type of opposition politics they would play.

I have satisfied myself that there was no intention to exert influence or pressure; in fact, there was merely an inquiry as to circumstances around which Mr Star was demanding, on a very short time line, a reply to his letter. I am satisfied that there was no desire to exert pressure. In fact, I have said that I will be writing a letter which will be very clear in its terms, that I am offering an apology for the fact that an impression was left. I do not believe that there was any pressure applied at all but, in fairness, I think a letter is the best way to ensure that my—

The Deputy Speaker: Thank you.

#### CHILDREN'S MENTAL HEALTH SERVICES

Mr Brandt: My question is for the Minister of Community and Social Services. The minister may recall that I raised a question with respect to children's mental health services in the province and my concern over the growing waiting lists that were developing in that field of government activity. The minister may be aware that many actions are being taken, not necessarily by his government with respect to the grants that it provides to these mental health centres and to children's services generally but by the Treasurer, that are impacting negatively on some of these services by costing them more money. Has the minister analysed what these additional costs are doing to these centres, how they are aggravating waiting lists and depriving some of these children of critically and badly needed services?

Hon Mr Beer: We work very closely with all the agencies that we fund and review with them the various pressures that are on them. I think it is perhaps important and useful to note that the funding we have provided to those centres over the last four or five years has gone up some \$30 million, and that is something in the order of \$18 million over and above inflation. As we look at how we are funding those agencies, we do look at all the different factors that come about because of various budgetary changes and try to ensure that we can help those centres and provide them with the funding that will allow them to better meet their responsibilities.

Mr Brandt: The increases are relatively misleading, and I know that the minister is giving accurate figures other than that he is leaving some of them out. I want to refer the minister to a letter that I received from the Beechgrove Children's Centre, which serves the area of Kingston, Brockville, Belleville and Smiths Falls in eastern Ontario. In that instance—and I am only giving the minister one example of what the actions of his government are doing with respect to this particular facilitythe employer health levy is going to cost an additional \$23,000 annually; pay equity is going to cost another \$43,000 to this particular institution. The increase on the part of the staff was reasonable; there was a five per cent increase, but that comes to another \$30,000. In all, when one adds up these particular costs and passes through the minister's 4.5 per cent increase, the result is they are going to have to cut three staff positions. Is that how the minister improves children's services in this province, by cutting staff positions?

Hon Mr Beer: It certainly is not, and I think the record speaks for the fact that we have been putting funding into this sector and that through meetings with them, through their executive, we have set out a series of issues that are facing them and are trying to see how we can, in the normal budgetary process, help them to meet that particular problem.

I would have to come back to the honourable member and say what I said the other day, that it does not help in our funding of those agencies and others in the children's area when we learn, only in the last number of weeks, that we are losing some \$160 million which we would have been able to receive under the Canada assistance plan. One of the reasons we shifted the programs into our ministry so we could obtain Canada assistance plan funds was precisely because it would make those dollars go further—they would be 50-50 dollars—we were able, from 1987 until this last fiscal year, to add something in the order of \$25 million to that sector. But obviously that has an impact on our ability to continue with that kind of expansion.

We have also said in our meetings with the executive that we are going to go forward in meeting issues around the salaries of employees and around the waiting lists. We may not be able to do that as quickly as we would have liked, because of these cuts, but I think when the member looks at the record of this government he will see that each year we have increased the funding to this sector over and above inflation.

#### 1420

Mr Brandt: I truly believe the minister has lost sight of the level of crisis that is occurring with respect to these services. The Beechgrove centre has a waiting list today of 300 children who are going without badly needed services, not as a result of federal cuts, but as a result of programs his government has passed on to these local institutions. Another 100 young children who are going to be put on a waiting list. The minister is aggravating a problem which is bad now; it is going to get worse in the future. He knows full well there are some 10,000 children on waiting lists in this province. It is not good enough to simply blame the feds. What is the minister going to do about it?

Hon Mr Beer: We will continue to do what we have been doing, which is dealing with children's services and putting money into that sector in a way that the member's federal cousins have not been doing. Those are facts.

The other point I would make to my honourable friend is that he should not be led or lulled into dealing with the broad area of children's services by looking at only one sector. The way we are going to deal with this issue and have a real impact on providing the services to the kids who need it is by bringing all those sectors together and dealing with the real problems.

We do not dispute for a moment that those are not real problems, but I think the member has to look at the record of this government in working with children's mental health centres, children's aid societies and family and counselling agencies over the last four or five years to see that we have been in there with them trying to help them. We have just lost \$160 million, which does not make that task any easier, but our commitment remains and we are working with the Ontario Association of Children's Mental Health Centres to resolve those issues.

#### **AUTOMOBILE INSURANCE**

Mr Runciman: My question is for the Minister without Portfolio responsible for senior citizens' affairs. Later today I will be tabling several thousand petitions related to the no-fault auto insurance proposal brought forward by this government. The minister, we know, represents seniors around the cabinet table in this province. I would like to know from him today what representations he has received from seniors with respect to this legislation.

**Hon Mr Morin:** I would like to pass this question to the Minister of Financial Institutions.

Hon Mr Elston: We have just been through a series of extended hearings wherein a number of people have made representations, including some seniors' groups. Members might know that there have been some very positive comments from some of those people and that there have been some mixed concerns expressed by various seniors in the province.

The member knows, from having attended the hearings, and I know, from having reviewed the briefs, that positive effects of the bill have been seen by some seniors, and some seniors have raised concerns, just like other people who have seen the bill.

That is what we have heard from seniors. I can say, without concern, that we have had a number of letters from some seniors' organizations which would express some concerns, but not a condemnation of the legislation.

Mr Runciman: I am astonished by the referral of this question. Obviously there is no advocate for seniors in this Liberal cabinet. If the minister supposedly responsible does not have the intestinal fortitude to stand up today in this House and say what he is doing on behalf of the seniors of this province, all the members of that cabinet and all the members of that government should be hanging their heads in shame.

The Deputy Speaker: Supplementary.

Mr Runciman: Obviously no one is speaking out on behalf of seniors in the cabinet of the Liberal government of Ontario

If that was the case, and since the minister supposedly responsible does not have the guts to stand up here, I want to direct my supplementary to the Minister for Financial Institutions. What about volunteers in society, the people working for Meals on Wheels, the people driving cancer patients? The minister is attacking those individuals; he is discouraging them from providing volunteers for much-needed services in this province.

Hon Mr Elston: The after-dinner speaker was great in his theatrics but, as usual, he failed to provide people with a sense of the bill and its contents. For the first, time senior citizens in Ontario will receive, in the no-fault portion of the insurance, \$185 per week. That is an increase over the previous amount under no-fault, which was zero. There will be an increased benefit there. There will be increased efficiency in making payments early, between 10 days and 30 days. There will be increased attention paid to supplementary medical and rehabilitation services. There will be increases allowed for long-term care.

This honourable gentleman will know that there are people in the senior citizens' community who recognize those as very good and sound increases in benefits. In addition, the people in the senior citizens' community recognize the member for Carleton East as the finest of the finest of the people who are in the cabinet and they appreciate the advocacy which he and all of us in the cabinet are providing on behalf of improving services, not only in auto insurance but in all facets of life dealing with senior citizens in the province. I find the diatribe which we were just experiencing from the member for Leeds-Grenville as being unworthy of this House.

Mr Runciman: I find the actions of this government—invoking closure, invoking time allocation—unacceptable to the people of this province and unacceptable to the members of this Legislature.

The Deputy Speaker: Supplementary.

Mr Runciman: I have a great deal of respect for the member for Carleton East as well, but I want to say that when he supposes we have to believe he is representing seniors' interests in this province, and he is not prepared to stand up in this House and indicate what kind of representations he has had or what kind of input he has had around the cabinet table with respect to the concerns of seniors in this province, it is a sorry day indeed.

The Deputy Speaker: Supplementary.

Mr Runciman: Let us talk about non-economic loss for seniors. These people do not have any recognized income.

Many of them are living on pensions. Because of the minister's legislation they are not going to have recourse to the courts for non-economic loss. Let's hear a satisfactory response to that with respect to all the seniors who have those legitimate concerns out there across the province, which he is trying to trivialize here today.

**Hon Mr Elston:** There is no attempt by anyone to trivialize anything with respect to concerns about legislation. But I can tell members—

Interjections.

The Deputy Speaker: Order, please.

Hon Mr Elston: We have taken into consideration the representations of a number of people with respect to the bill. We have heard from them. When we were trying to deal with clause-by-clause on the bill, we suffered through almost two full days of "brief opening statements" by the opposition parties. There were four speakers—I got about three or four minutes in there as well—and we did not even get to clause 1. That is the type of activity that these people have been promoting in the House. If they wonder whether or not we should get on with business, we are prepared to get on—

The Deputy Speaker: Order.

#### RENT REGULATION

Mr D. S. Cooke: I have a question for the Minister of Housing. The 650 tenant families at 5000 Jane St and 4001 Steeles Avenue West in North York have been told by their landlord, NHD Developments Ltd, that their rents will increase by 52 per cent in 1990 due to both land rental increases and capital expenditures. NHD Developments Ltd is a company headed by Sam Sorbara. Antica Investments Ltd is also headed by Sam Sorbara. That company owns the land. The land rental charges at 5000 Jane St are to be increased from \$82,744 per year to \$720,000, a 770 per cent increase, while the land rental charges at 4001 Steeles Avenue West will go from \$60,207 a year to \$881,100, or a 1,363 per cent increase.

One Sorbara company is hitting another Sorbara company, and who pays? The tenants. The minister knows of all the loopholes in his rent review legislation. Here is another one. What is he prepared to do to protect tenants in this province? There are 12 of them from these buildings here in the gallery. What is he going to do to protect them from the Sorbara family?

Hon Mr Sweeney: My honourable friend is aware of the fact that there is a section within the rent review legislation which requires a provable arm's-length relationship with respect to the kinds of arrangements he just described. I will be quite happy, not only on behalf of him but also for the tenants he has spoken about, to have this particular transaction reviewed once again to be sure that it is a legitimate arm's-length transaction. I cannot comment on whether it is or not. I know the legislation requires that. I know our rent review hearing officers will take that into consideration, and I give him my commitment to have it reviewed one more time.

#### 1430

Mr D. S. Cooke: We have raised case after case in this Legislature of how landlords in this province are finding the loopholes in this government's rent review legislation, whether it is refinancing, renovations or now land rentals. Is the minister not now convinced that there are so many loopholes in the rent review legislation that it needs to be scrapped and that real rent

control needs to be brought in, because that is the only thing that will protect tenants from unscrupulous landlords who are out there to make bucks at the expense of ordinary people in this province?

Hon Mr Sweeney: In 1985 it was clearly recognized that there were some faults in the rent review legislation, and on that basis, my predecessor brought together landlords and tenants to rewrite the legislation, to discover from both sides where those kinds of changes ought to be made. That was done, as the member obviously knows, and we now have in place another piece of legislation.

It has been the history of this Legislature, in the 15 years that I have been here, that from time to time we find from practices out in the field that any piece of legislation does not always work as well as we, as legislators, intended it to. Consequently, we have to make amendments to that from time to time. If this proves to be one of those cases, then certainly we will review it once more.

Interjections.

The Deputy Speaker: Order, please.

#### SPORTS COUNCILS

Mr Harris: I have a question for the Premier concerning his government's decision to shut down the operations of the Northeastern Ontario Regional Sports Committee. After successfully co-ordinating and promoting amateur sport and the disabled games for 16 years, this organization was terminated by his government with six weeks' notice. Interestingly enough, this group was part of the umbrella organization that opposed his cohort's Bill 119 to take the lottery funding away from them.

In view of the fact that the government paid for a \$40,000 study that stated sports councils should be not only maintained but enhanced, can the Premier explain why his government terminated this funding without adequate consultation, without notice, and totally against the recommendation of the \$40,000 study that he commissioned and paid for?

**Hon Mr Peterson:** I believe the honourable minister can assist my friend on this matter.

Hon Mr Black: The member for Nipissing has raised an important issue, and I am pleased that he has, so I can address it. He will be aware of the fact that a study was done and made several recommendations. One of those recommendations was that the sports councils, as presently constituted, were not truly representative of all northeastern Ontario. In addition, the study recommended that if they were to continue to operate, they should do so at some arm's length from the Ministry of Tourism and Recreation, which had been providing both funding and space for them to operate.

The decision to discontinue the operation of the northeastern and northwestern sports council was a difficult one. They had done much and the members of that group had contributed significantly. However, there were some initiatives that we wanted to introduce in northern Ontario which we think are worth while and which we think will promote sports and sports activity in the north and we had to make a very difficult decision in establishing priorities.

Mr Harris: I am surprised that the Premier would refer the question to the minister, because this is the minister who, according to Grant Southwell, the president of the sports council,

when he met with the minister, said, and I am quoting Grant Southwell:

"The minister responded there are certain tradeoffs that people who choose to live in northern Ontario must make. According to Mr Black, we cannot expect to receive the same amount or quality of service that the south enjoys."

This is the minister whom the Premier referred the question to; this is his response to the northeastern Ontario sports council.

He goes on in his letter and says, "In the words of the minister, it is not uncommon for a government to spend money to research an issue and not act upon the recommendations."

The minister is right on that. We know of report after report, including insurance, that the government refused to act on the recommendations.

#### The Deputy Speaker: Supplementary?

Mr Harris: How can the minister justify saying to the people of northern Ontario that there is a price we have to pay, that we cannot have the same services for living and choosing to live in the north that people in southern Ontario enjoy? How can he justify that statement to the president of the Northeastern Ontario Regional Sports Committee?

Hon Mr Black: I know the member for Nipissing is very busy these days and obviously does not have the time to research his facts properly. I have never had the opportunity of meeting with Grant Southwell, so I am not sure where the member gets his facts, but he obviously has them incorrect. This government is committed to northern Ontario. In fact, we have increased our funding significantly for the promotion of sports in northern Ontario. We have done that through three initiatives that I want to share with the members.

First, we are working with the Ontario Physical Health Education Association, which is implementing in northern Ontario a pilot program called Sportability; we believe it has tremendous potential to service all of this province, but we are instituting the program on a pilot project in northern Ontario because we want to meet the needs of the north.

Second, we have announced a new \$50,000 funding program for young athletes in northern Ontario, once again a recognition that those people do need some help in order to compete satisfactorily at the provincial level; so we are instituting that program to give them specific assistance.

Finally, we are continuing to fund the coaching certification program in the north, as we have done in the past.

#### **TAXATION**

Mr Owen: I have a question for the Treasurer. In recent weeks there have been riots across Britain objecting to what they are calling a poll tax, which has been introduced by that country's Conservative government. I understand this is a tax on people rather than on real estate, and I understand that means a single person who might be living in a mansion pays one tax for himself or herself, but if there were six adults living in a crowded home, they would pay six times what the one person does in the mansion.

#### The Deputy Speaker: The question is?

**Mr Owen:** I am asking the Treasurer if he has looked at what is being proposed in Britain, and do we have any assurance as to what might or might not happen in Ontario?

Hon R. F. Nixon: I have been considering asking one of the polling organizations to review that on my behalf, but I

thought maybe my reading of history would be sufficient. The last time the United Kingdom tried the poll tax was in the 13th century and the Chancellor of the Exchequer was executed for his bad judgement. I am not sure what is going to happen to the Iron Butterfly; they may need an acetylene torch for her.

Interjections.

The Deputy Speaker: Order, please.

Mr Owen: I have read various reports which indicate not only incredible costs are involved for the British Parliament in this transfer of tax target, but also incredible costs for the municipalities in implementing it. I know there have been recent changes by our own federal government in the way it is collecting and administering taxes. Has there been any effect on this province with regard to changes in the federal taxation programs?

Hon R. F. Nixon: There is no doubt that the imposition of the goods and services tax at the federal level is going to cause a good deal of dislocation, anxiety and difficulty for our tax-payers and certainly for our merchants and business people. It is a judgement, however, of the government of Canada, and presumably the Progressive Conservative majority in Parliament, that they should proceed with this.

I have already indicated that anything we can reasonably do to assist we are prepared to do, but we are not going into the goods and services tax. We are not contemplating expanding the base of our sales tax. The people in the province are used to the sales tax. They do not like it, they certainly do not like it, but in fact we net just under \$9 billion from the tax, and that pays a lot of our bills.

**Mr B. Rae:** The tire tax, on the other hand, is tremendously popular.

1440

#### **ENVIRONMENTAL PROTECTION**

Mr B. Rae: The question I have is for the Minister of the Environment. Alan Marshall is in the gallery today. Mr Marshall is an employee of Varnicolor Chemical Ltd in Elmira. He has made out an affidavit setting out certain extremely important allegations with respect to spills and chemical spills at the company. I also have an affidavit from Bert Nalliah, who was the head of the laboratory at Varnicolor from 1986 to 1989.

Mr Nalliah has left the company, and Mr Marshall has been suspended, but neither of these individuals has any rights under the Environmental Protection Act with respect to his employment. Why is it that if somebody makes a complaint under the Labour Relations Act, his employment is guaranteed and protected under the law, but if somebody takes an action under the Environmental Protection Act making a serious allegation against his employer—whistle-blowing, as it is called—there is no protection in the law for whistle-blowers? Where is the protection for Mr Marshall and Mr Nalliah?

Hon Mr Bradley: The Environmental Protection Act does cover situations of this kind. We certainly are thankful, in many circumstances across the province, when employees of various firms are prepared to put forward to us information which assists us in prosecuting any particular company for a violation. We welcome that opportunity. We have had information like that provided to us by a number of different people.

It is my understanding that under section 134b of the Environmental Protection Act, employees are protected when they give information to the ministry. The Environmental Protection

Act clearly applies in the case the member refers to and has applied for a number of years now, as the former Minister of the Environment would tell the member.

Certainly our ministry will assist in any way we can, as we have with other employees who have provided information to us in similar circumstances—information, by the way, which we believe is very useful in terms of charges being laid and prosecutions when we do further investigations.

Mr B. Rae: Mr Marshall makes several significant allegations, not only against the company but also against the ministry. It is my understanding that, as of today, the ministry has decided no charges will be laid. I am quoting from the Kitchener-Waterloo Record, which said, "The Ministry of the Environment officials said the employee's allegations 'have been substantiated in many respects' and that is why an audit is being ordered," but there are no charges being laid against this company.

I repeat my question to the minister: Why is there no protection clearly stated in the act? It is not there. The minister says it is. He is wrong; it is not there. Why is it not clearly stated in the act that employees will be protected when they start to call and tell the truth about their employers?

**Hon Mr Bradley:** The member would know that under section 134b it states the following, where it gives the various designations, the various interpretations:

"No employer shall (a) dismiss an employee; (b) discipline an employee; (c) penalize an employee; or (d) coerce or intimidate or attempt to coerce or intimidate an employee, because the employee has complied or may comply with, (e) the Environmental Assessment Act; (f) the Environmental Protection Act; (g) the Fisheries Act (Canada); (h) the Ontario Water Resources Act; or (i) the Pesticides Act, or a regulation under one of those acts or an order, term or condition, certificate of approval, licence, permit or direction under one of those acts or because the employee has sought or may seek the enforcement of one of those acts or a regulation under one of those acts or has given or may give information to the ministry or a provincial officer or has been or may be called upon to testify in a proceeding related to one of those acts or a regulation under one of those acts."

I think that clearly addresses this particular issue. I commend the people who come forward and provide that information.

In the specific instance the member is talking about, there is an audit or investigation going on. He would know that the ministry, for instance, visited the place seven times, I believe, in 1989 and continues to investigate.

#### HOUSING FOR THE DISABLED

Mrs Marland: My question is for the Minister without Portfolio responsible for disabled persons. On 14 August 1987 the then Minister of Housing, the member for Scarborough North, announced the Supportive Community Living demonstration project. His statement promised that this government would complete an additional 1,000 supportive units by 1990 and the modification of 2,500 existing units. Since we know that the minister's government is committed to the pledge, "We did what we said we would do," could she tell this House how many of these 3,500 supportive units have been built?

**Hon Ms Collins:** I would have to refer that to the Minister of Housing.

Hon Mr Sweeney: I do not know the exact numbers. I will certainly find out for the member. I can tell her that quite a number of affordable units, as far as the housing is concerned, have been supported by my ministry. Of course, what she probably knows is that there has to be a combination of the housing component and the supporting component, which is a responsibility of my colleague the Minister of Community and Social Services. We work together on those. But I cannot tell her right now how many actually have been done; I will find out.

Mrs Marland: This is a sad day in this House. We have the Minister without Portfolio responsible for senior citizens' affairs deferring his question; we have the Minister without Portfolio responsible for disabled persons deferring her question. We have two ministers who have referred their questions this afternoon. I think that is singularly significant.

I will tell the Minister of Housing with as much grace as I can muster that this program has been cancelled. Since the program has been cancelled, and since there are 250 people on waiting lists for accessible units that provide part-time attendant care and 880 on waiting lists for accessible units without attendant care, as well as countless others who are on waiting lists for private-nonprofit housing, disabled persons have to wait between three and five years for affordable housing today in this province.

The Minister of Housing does not even know that this program was cancelled. My question is this: What is the minister prepared to do to ensure his government lives up to its promises in addressing this appalling situation?

Hon Mr Sweeney: I would quarrel with the member's contention. First of all, we have opened up Ontario Housing units to make them available for single people and disabled people. That was not available before. Second, a significant number of the nonprofit and co-op projects which we have authorized over the last couple of years do contain special units designed for disabled people.

I have just come back from a tour across the province in which I visited about 14 centres, and in every single centre I went to, I visited two or three projects that were either complete or under way. In every one of those projects, there were a number of units specifically designed for the disabled. I think the record is clear as to what this province is doing.

#### TRANSIT SERVICES

Ms Poole: My question is for the Minister of Transportation. According to the Saturday Toronto Star, a \$2-billion expansion of Metro's rapid transit system will be announced by the province on Thursday.

My constituents are high transit users. In fact, we have three subway stops in Eglinton: Lawrence, Eglinton and Davisville. Particularly at Eglinton and Davisville, we have a real problem with overcrowding. It is extremely frustrating to stand on the platform at rush-hour in the morning and watch train after train go by too full to allow us to get on.

The question I have for the minister is: Is it indeed true what the Toronto Star reports, that he will be making a major announcement on Thursday? Second, if he is, what is it going to do to help my constituents in Eglinton?

Hon Mr Wrye: I can tell the honourable member we will see her on Thursday morning. She is invited to hear the results, because I know on a number of occasions the member for Eglinton has raised concerns on behalf of her constituents over the extremely difficult problem of the rush-hour congestion and

the impact it is having on her constituents in the Eglinton-Davisville area, an area I know very well, having in my younger days living in Toronto used both of those stations because of where I lived. Her facts are right. The volumes are such now that trains often go through so full that people at those stations simply have to wait for four or five trains.

As part of the north Metro boundary transportation review, one of the options that was looked at, which we shall be discussing on Thursday and which we have been considering, is a looping of the Yonge-Spadina subway system somewhere in the Finch-Steeles corridor. One of the issues raised by the consultants who did the review—a very eminent consultant in Metro, Richard Soberman, whom I know the member knows—is that simply doing the loop would add a 10 per cent increase to the Yonge-Spadina capacity. That would mean an additional two trains in the rush-hour. That is something we are looking at very carefully.

#### 1450

Ms Poole: I am very encouraged to hear the minister will be making an announcement in this regard. I wonder, though, could he give me some specific details as to how many people the system will be expanding to accommodate and, inferentially, what this will mean to my constituents in Eglinton?

Hon Mr Wrye: I ask the honourable member, who I know has travelled the line and travelled out of those stations, to contemplate the impact of adding somewhere in the range of 3,000 or 3,500 additional capacity spaces through those two trains on a per-hour basis. As well, one of the ancillary issues that a loop, if proceeded with, might solve is it might add to the utilization of the Spadina portion of the Yonge-Spadina system, which is now the only portion of the system which even in rush hour is at times underutilized.

Certainly, the major problem is on Yonge Street. We expect cross-Metro-boundary capacity increases of up to 110,000 people a day, every day, in both directions by the year 2010, and obviously we have to find solutions to address that emerging need.

#### CHILD CARE

Mr Allen: I have a question for the Minister of Community and Social Services. A Metropolitan Toronto nonprofit child care centre by the name of McMurrich Sprouts is being forced to ask 10 subsidized kids to withdraw from child care because it can no longer afford to keep them. It is estimated that up to 1,000 children in the Metro day care system are similarly at risk.

Why? Because the provincial contribution to Metro day care costs, rather than meeting the 30 per cent that is obligated by the Canada assistance plan, stands now at 23 per cent of the costs of the subsidized day care spaces in Toronto. When is the minister going to begin to pay the full provincial share of day care costs in Toronto and relieve these children in particular of the risk in which they stand?

Hon Mr Beer: I am not aware of the specific instance that my honourable friend raises and will certainly look into it. But I want to point out to him that over the last four or five years we have increased significantly the subsidized spaces in Metropolitan Toronto, which now stand, I believe, at over 19,000. We participate fully with Metropolitan Toronto, and in terms of the funding for child care in the province, which five years ago was \$89 million, we now put into Metro alone over \$100 million. I think that is a significant amount of money.

Recently I met with the Metro chairman, the mayor of Toronto and other senior officials from the Metropolitan area to look at some of their specific problems around subsidies and around their purchase of service area. It is my belief that we will shortly be able to move forward and meet the difficulties that they encountered there. I think we will continue to work with them, and I would be very hopeful that the kind of situation the member raises will not recur.

Mr Allen: There are multiple problems that afflict day care in the province and particularly in Metro Toronto. But I want to address the minister to an interesting and puzzling wrinkle. He is not the only one who is not paying the full share of the overall day care costs in Metropolitan Toronto. The federal government also is paying only 38 per cent as against the 50 per cent that should be its share. However, it is interesting that the ministry of which this minister is in charge refuses to pass on the extra amount that the Metro Toronto government pays, namely, \$18 million, in full funding of subsidized spaces, which it is not normally obligated to do.

The minister and the ministry could pass that money on and get 50 per cent refund from the federal government if it would do that, but the ministry officials keep saying, "We don't intend to play bookkeeper in this particular game." Is it not perhaps time to rise above the question of playing games of bookkeeper and actually working out some arrangements to pass on those charges and get 50 per cent of that money back, namely, \$9 million, to address some of the subsidized spaces that are at risk?

Hon Mr Beer: I think the honourable member would agree that what we have to do, in looking at the funding of this whole area, is work co-operatively and positively with the municipal level of government as well as with the federal government. In our view, it would be most irresponsible if we simply took the request from Metro Toronto or any other municipality and passed it on.

One of our major concerns about the Canada assistance plan was to ensure that it not be cut and that we act responsibly, which is precisely why I sat down with the Metro chairman and others to look very directly at that particular problem. I believe that we have come to an arrangement which is going to be very positive for Metro Toronto.

In terms of the federal funding and what we are going to lose as a result of the cuts in CAP, we are waging that battle on a number of fronts. I think it is very important that the province and the municipal level of government sit down to work out what we believe is the appropriate level of child care spaces and what we are going to subsidize, and then it is critical that the federal government come to the table and pay its proper amount. But I cannot say to my honourable colleague that we are going to meet the specific problem that Metro Toronto has in this area.

#### **CLOSING OF CAMPGROUNDS**

Mr Villeneuve: I have a question to the Minister of Tourism and Recreation. The minister will remember a letter I sent to him recently regarding closures of parks, the St Lawrence parks in eastern Ontario. Last year, he shortened the season and put up the rates for the users of the parks. This year, five parks are being closed completely. How can the parks commission or his ministry say that the closure of five out of 15 parks enhances tourism in eastern Ontario?

**Hon Mr Black:** I would like to clarify for the member for Stormont, Dundas and Glengarry that the decision to close the

five parks in question was made not by my ministry but by the St Lawrence Parks Commission which, as he knows, is an arm's-length agency.

I would also like to stress to him, as he well knows again, that the members of the St Lawrence Parks Commission are people who live and work in the communities of eastern Ontario. They are people who understand and appreciate the problems there. The decision to close those parks was a difficult one, but in fact the St Lawrence Parks Commission, in trying to see how it could carry out its responsibilities in a cost-effective way, made that very difficult decision.

I should also share with the member the fact that of the five parks that have been closed, as he would know, approximately three of them may well be opened by this summer as communities take on that responsibility after negotiations with the commission.

Mr Villeneuve: These are prime waterfront properties in eastern Ontario and we will not allow them to grow weeds and brush. The St Lawrence Parks Commission Act says, "It is the duty of the commission to develop, control, manage, operate and maintain the parks." That does not sound like closing them.

In the standing committee on public accounts, it says "to acquire, preserve, develop and maintain historic sites, to operate to a high standard of excellence, to encourage and promote tourism in the area, to operate historic sites, camping facilities, etc." There is nothing in there that says "closing down;" it is "to encourage and promote." Does the minister feel the mandate of the commission is to close down a third of its parks?

Hon Mr Black: Let me share with the member and with his colleagues some facts and figures. Let me tell him, for example, that the park at Farran, which is one of the parks in question, had a 27 per cent occupancy rate last summer. Let me tell him that the park at Brown's Bay—

The Deputy Speaker: Order, please.

**Hon Mr Black:** I would like to respond to the question, if I may. Let me tell the member that the park at Brown's Bay had only 9,000 visitors last summer, an occupancy rate of some 32 per cent.

I want to tell him also that his colleagues the member for Simcoe East and the member for Leeds-Grenville were members of committees which looked at the operation of the St Lawrence Parks Commission, and both of those committee studies recommended that they be operated in a cost-effective way. Our government is committed to spending taxpayers' dollars wisely.

If members of the third party do not care about how taxpayers' dollars are spent, I want them to know that we do care. We did not achieve a balanced budget in this government by frittering away taxpayers' dollars.

1500

#### **HEALTH CARDS**

Mr Chiarelli: My question is to the Minister of Health. Many of my constituents, having heard the recent announcement concerning the new health cards, have been calling my office to make inquiries. I wonder if the minister can tell the constituents of Ottawa West how and when they will be receiving their new health cards.

Hon Mrs Caplan: I thank the member for Ottawa West for his question. In fact, he has been very active in ensuring that his constituents are well served.

Every household in Ontario will get a health card information form approximately mid-April, around the 17th, with instructions on how to fill it out and room for approximately 10 people to be on the same application form. There will also be additional information, and a return envelope will be included. We are hopeful that everyone will complete the form within two weeks. If they have any questions, they can call the ministry office. The phone number will be on the form. People should be receiving their new cards six to eight weeks after they have sent the form back to the ministry.

Mr Chiarelli: The minister mentioned that there will be information that needs to be provided in the application form. I am sure the minister is aware of the fact that a number of people and press reports have indicated there is a question of infringement of personal privacy with respect to the application form. Can the minister assure the House and the residents of Ottawa West that individual privacy will not be violated through this process?

**Hon Mrs Caplan:** In fact, protection of personal privacy is a priority for the ministry and for myself. I want to tell the member and all members of this House of the special steps that the ministry has taken to enhance and ensure protection of personal privacy.

A person's name, age, address, sex and identifying information will be kept in a separate data bank with confidentiality provisions maintained, as we do now. A separate data bank for all health information and services will be kept separately. They will not be tied together. Only these data without the names attached will be made available for planning purposes. This is an enhancement over what exists today. Today, when you have one number for a whole family, the opportunity to separate these data out for planning purposes is more difficult.

I believe confidentiality will be improved with this new system, and I thank the member for his question.

#### OCCUPATIONAL HEALTH AND SAFETY

Miss Martel: I have a question for the Minister of Labour concerning the compensation case for Gojko Toljagic. He was employed as a caretaker at North Toronto Collegiate for 22 1/2 years. In October 1989 he died from mesothelioma, which is almost always exclusively caused by exposure to asbestos. The Workers' Compensation Board has denied the claim and said that in fact he would not have any exposure to asbestos.

Stan Gray, the director of the Ontario Workers Health Centre, is actually handling the claim, and it was his staff who went into that school and did the inspection regarding the asbestos problem. On 8 January he delivered to the Ministry of Labour 19 pictures, a lab report and a videotape showing all the asbestos in that school.

The ministry has all the evidence to prove that the asbestos was there and that the worker had extreme exposure to it. I want to know why the Minister of Labour has not forced the board to accept this claim.

Hon Mr Phillips: I do not force the board to accept any claim. They have a process that they follow, which is a thorough process, including access to outside resources to review situations like this, and there is a well structured process for review and for appeals. I am sure the members of the House will appreciate that the minister does not force the board to do things when there is this well structured appeal process that the Legislature had developed, including the Workers' Compensation Appeals Tribunal. I do not involve myself in a case where, as I say, we have a well developed process to follow.

#### TIRE TAX

Mr B. Rae: On a point of order, Mr Speaker: I had an exchange last week with the Minister of Revenue concerning the so-called secret tax agreement between the car rental companies and the Ministry of Revenue. The minister assured me on Wednesday that in fact the tax was being withdrawn.

I have a Rent A Car agreement from Sunday that was reached at the Sudbury airport and it still shows the 8.3 per cent tax. When I raised it with the representative of Hertz Rent A Car, she said that she had never heard of Remo Mancini but she did—

Interjection.

Mr B. Rae: She did know who I was.

**Hon Mr Elston:** You must do a lot of travelling, Bob. You get around.

Mr B. Rae: I am a very busy fellow these days.

I just want to raise that to let you know that despite the fact that the minister told us on Wednesday that something was being done, it would appear that it has not been done yet.

Interjections.

The Deputy Speaker: Order, please. She may or may not know the minister, but I know the standing orders and that is not a point of order. However, the minister may have taken note.

#### **PETITIONS**

#### **AUTOMOBILE INSURANCE**

**Mr Kormos:** I have a petition and I am going to summarize the petition because I know the rules require that I do that. This petition reads:

"We, the undersigned, hereby register our deep concern and outrage over the provisions of the Ontario motorist protection plan"—

Interjections.

The Deputy Speaker: Order, please. I would like to remind the members, and especially in this particular case the member for Welland-Thorold, to read the standing orders again.

#### CHILD AND FAMILY SERVICES

**Mr Brandt:** I only have one petition. It is, however, signed by approximately 135 residents of Sarnia and area. The petition reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario"

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas the Ontario Child and Family Services Act is intended to protect children and their rights; and

"Whereas the Ontario Child and Family Services Act has resulted in children being exposed to physical, mental and emotional risks because they have been permitted to make decisions and accept responsibilities beyond their capabilities; and

"Whereas the Ontario Child and Family Services Act prohibits caring, responsible adults from acting in the best interests of the child at times;

"Therefore, we as concerned adults in this province respectfully request that the Ontario Child and Family Services Act be amended in order to give control of adolescence back to responsible adults and stop this chaos that enables our young people to destroy their lives."

#### **AUTOMOBILE INSURANCE**

**Mr Philip:** I have a petition addressed to the Legislative Assembly of Ontario:

"Whereas the Peterson Liberal government has introduced auto insurance legislation which is directly contrary to its own studies; and

"Whereas this legislation will result in higher taxes to cover the \$141 million handed back to the insurance companies by the Liberal government; and

"Whereas the legislation will result in most accident victims being unable to be compensated for pain, suffering and other losses; and

"Whereas the legislation will result in the innocent victim being treated no better than the negligent driver responsible for the injuries and removes the right for victims to seek compensation from negligent and dangerous drivers;

"We, the undersigned, petition the Legislature of Ontario to express to the Liberal government our great disapproval of its policies concerning automobile insurance and request that Bill 68 be withdrawn."

#### 1510

**Mr Runciman:** Today I will be tabling approximately 7,500 petitions of residents of this province opposed to Bill 68. So that I do not violate the rules of the House, I am going to deposit these on the minister's desk myself.

**The Deputy Speaker:** The member for Leeds-Grenville has kind of short-circuited the rules of the House.

#### **HEALTH PROFESSIONS**

**Mr Harris:** I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, petition the Legislative Assembly and the Lieutenant Governor of Ontario as follows:

"We are seriously concerned about the proposed bill by the Ministry of Health regarding the regulation of Ontario's health professions—striking a balance, sections 27(o)(11) and 27(o)(4).

"The effect of this legislation is that it will prevent most mental health practitioners from practising and will create a monopoly on health care for other professionals.

"OHIP expenditures will increase significantly and the availability of good service will drop for those needing mental health care.

"We urge you not to proceed with this legislation as it reads currently. Section 27(o)(4) must be deleted and section 27(o)(11) should be replaced so that unregulated practitioners are not prohibited from diagnosing a client's condition."

This is signed by over 1,000 petitioners, all residents of the province of Ontario, and now by me as well.

#### **AUTOMOBILE INSURANCE**

**Mr Farnan:** I have a petition concerning the Ontario motorist protection plan:

"To the Legislative Assembly of the province of Ontario:

"We, the undersigned, hereby register our deep concern and outrage over the provisions of the new Ontario motorist protection plan. We respectfully request that the Legislature consider substantial amendment of or complete rejection of the Ontario motorist protection plan as presently proposed.

"We further respectfully request that a plan be devised more nearly in accordance with the results of the independent studies undertaken at the request of the government."

This petition is signed by nine citizens of the province of Ontario. I have added my name in total and complete support.

#### RIDING OF PRINCE EDWARD-LENNOX

**Mr MacDonald:** I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"To introduce legislation to amend the Representation Act, 1986, to change the name of the electoral district of Prince Edward-Lennox to recognize all portions of the district thereof."

I fully support this petition and introduced a bill to address this issue on 21 March of this year.

#### **AUTOMOBILE INSURANCE**

**Mr Morin-Strom:** I have a petition that reads as follows:

"To the Legislative Assembly of Ontario:

"Whereas Bill 68 is legislation that makes tragic changes to the rights of innocent injured motor vehicle accident victims;

"Whereas the Peterson government has made it clear that they want this legislation rammed through, notwithstanding that people across Ontario have made it clear that they want this bad legislation dumped;

"Whereas there is nothing in Bill 68 that gives effect to David Peterson's promise in 1987 that he had a very specific plan to reduce auto insurance premium rates, because once this legislation is passed by the Liberals auto insurance premiums will climb by as much as 50 per cent, according to Minister of Financial Institutions, Murray Elston;

"Whereas the Liberal government's auto insurance legislation will provide enormous taxpayers' subsidies to the private corporate auto insurance industry, costing the Ontario taxpayer at least \$141 million in the first year alone;

"Whereas this legislation will cost drivers in Ontario millions of dollars in increased premiums;

"Whereas this insurance legislation will deprive innocent injured victims of at least \$823 million in compensation that will be denied them;

"Whereas this insurance legislation will create a \$1-billion payday for the auto insurance industry at the expense of tax-payers, drivers and innocent injured victims, these people will be forced to pay more and they will get less;

"Whereas Peterson and the Liberals have refused to listen to the hundreds of submissions made to them calling upon them to abandon this bad legislation;

"We, the undersigned, petition the Legislative Assembly of

"That Peterson and his Liberal government end this sellout of taxpayers, drivers and victims and that they immediately withdraw Bill 68."

This petition, as were the thousands of petitions that were presented just a few minutes ago by my colleague the member for Welland-Thorold, has been signed by residents of the province of Ontario. I have signed it and endorse it and hope that the government will act upon it today.

The Deputy Speaker: It may be time to remind the members again that tradition has it that one does not read a lengthy petition but has a short, brief, rapid summary.

#### HEALTH PROFESSIONS

Mr Harris: I first of all rise to correct the record on my last petition. I indicated it was signed by over 1,000 people. It was signed by just 42 of the faculty of social work at the University of Toronto.

#### HIGHWAY CONSTRUCTION

Mr Harris: The confusion came in because I have a second petition which is different from the first petition, and it is signed by 971 people. I would like, if I may, in rapid, staccato fashion to briefly summarize:

"We, the undersigned, petition the Lieutenant Governor of the Legislative Assembly of Ontario as follows:

"Because of the number of accidents and fatalities at the junction of highways 11 and 17E, we, the undersigned, insist that an overpass be made a top priority. In the meantime, we would like to see safety measures taken, such as better signs. This junction is dangerous in itself. Combined with adverse weather and road conditions as well as a heavy flow of traffic, it can often be perilous."

It goes on, Mr Speaker, but I think you get the gist of that summarization.

#### CHILD AND FAMILY SERVICES

**Mr Neumann:** This petition is addressed to the Legislative Assembly of Ontario.

"Whereas the Ontario Child and Family Services Act is intended to protect children and their rights; and

"Whereas the Ontario Child and Family Services Act has resulted in children being exposed to physical, mental and emotional risks because they have been permitted to make decisions and accept responsibilities beyond their maturity; and

"Whereas the Ontario Child and Family Services Act prohibits caring, responsible adults from acting in the best interests of the child at all times;

"Therefore, we as concerned adults in this province respectfully request that the Ontario Child and Family Services Act be amended in order to give control of adolescents back to responsible adults and stop this chaos that enables our young people to destroy their lives."

It is signed by 98 petitioners from the Brantford area.

#### **AUTOMOBILE INSURANCE**

**Mr** Allen: There are about 10 "whereases" in this petition and I will just read two or three of them to give you a sample of the contents thereof.

"To the Legislative Assembly of Ontario:

"Whereas there is nothing in Bill 68 that gives effect to David Peterson's promise of 1987 that he had a very specific plan to reduce auto insurance premium rates, because once this legislation is passed by the Liberals, auto insurance premiums will climb by as much as 50 per cent according to the Minister of Financial Institutions."

Another clause that addresses another major and important question according to these petitioners is:

"Whereas the Liberal government's auto insurance legislation will provide enormous taxpayer subsidies to the private corporate auto insurance industry, costing the Ontario taxpayer at least \$140 million in the first year alone, we, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Premier Peterson and his Liberal government end this sellout of taxpayers, drivers and victims and that they immediately withdraw Bill 68."

This is signed by a number of petitioners from the city of Toronto, and I have affixed my signature to it and agree with the petition.

Miss Martel: In the time remaining, I have a petition addressed to the Legislative Assembly of Ontario. It reads as follows. The petitioners are concerned that Bill 68 is legislation that makes tragic changes to the rights of innocent, injured motor vehicle victims. The Peterson government made it very clear; the legislation was rammed through, and they wanted it rammed through, notwithstanding that the majority of Ontarians think it is bad legislation. Bill 68 does nothing to respond to David Peterson's claim in Cambridge in 1987 that he had a very specific plan to reduce auto insurance rates. In fact, this Liberal government, by this legislation, is going to provide an enormous payout to the auto insurance industry in this province.

Also, it is going to deprive innocent injured victims of at least \$823 million in compensation that should logically go to them. It is going to create a \$1 billion payday for the industry and, "Whereas the Peterson Liberals have refused to listen to the hundreds of submissions made to them calling upon them to abandon the legislation, we the undersigned"—and there are a number of signatories—"request, in fact, that Peterson and his Liberal government end this sellout of taxpayers, drivers and victims and that they immediately withdraw Bill 68."

I have affixed my signature to it. I agree with the petitioners entirely.

#### 1520

Mr Kormos: I know how the Speaker always prefers that I summarize the preamble, so I will. This is a lengthy preamble. Summarized, what it says is that the people across Ontario say that Bill 68, the insurance legislation, is just incredibly bad legislation. It was written by the insurance industry for the insurance industry, for the profitability of the insurance industry and this bad legislation—

The Acting Speaker (Mr Breaugh): Thank you.

#### INTRODUCTION OF BILLS

#### ENERGY AMENDMENT ACT, 1990

Mr Wildman moved first reading of Bill 130, An Act to amend the Energy Act.

Motion agreed to.

**Mr Wildman:** The purpose of the bill is to include woodburning furnaces and stoves and other devices in the definition of an "appliance" and accordingly make them subject to regulation under the Energy Act.

#### POWERS OF ATTORNEY AMENDMENT ACT, 1990

Mr Sterling moved first reading of Bill 131, An Act to amend the Powers of Attorney Act.

Motion agreed to.

Mr Sterling: Under our present laws a person can appoint someone else to act on his or her behalf regarding business affairs. I am proposing a durable power of attorney with respect to consent and withdrawal of consent to medical treatment. It is an idea borrowed from the United States, where all 50 American states have durable power of attorney legislation. More recently two Canadian provinces, Quebec and Nova Scotia, have also recognized the need for this legislation.

The durable power of attorney will provide that the authority given to a representative continue in spite of the in-

capacity of the person giving that authority, and will allow an individual to appoint someone to make a medical decision on his or her behalf when he or she is not in a position to do so.

I would like to recognize Marilynne Seguin and Donald Elliot of the Dying with Dignity group who are with us here today in the Legislature and who support this legislation.

#### NATURAL DEATH ACT, 1990

Mr Sterling moved first reading of Bill 132, An Act respecting Natural Death.

Motion agreed to.

Mr Sterling: This bill deals with living wills and is called the Natural Death Act. A living will is a document which is signed by an individual and witnessed, which directs that if the individual is ever in a terminal condition due to an injury or illness and is unable to communicate his or her wishes regarding life-sustaining treatment, then the treatment is to be discontinued. Its essence is that life-sustaining procedures should not be used to artificially prolong life.

There are several advantages to this legislation. It makes it clear that anyone withholding life-sustaining procedures pursuant to the act is not civilly liable. It reaffirms the right of the patient to decide on his or her own medical treatment, and it offers the benefit of clarity as to the wishes of the patient. Not everyone has someone to speak on their behalf in such situations. For those who have no one, this is a method of expressing their intent.

#### ORDERS OF THE DAY

#### TIME ALLOCATION

Mr D. S. Cooke: Mr Speaker, I would like to raise a point of order on this motion. The point of order will be dealing with standing orders 1(a) and 1(b) and 45, and it is the position that we will be taking as a caucus that notice of motion 30 is out of order. These types of points of order have been raised in the past. I think there are new and additional points to consider on this motion. It is also the first time that a closure motion has been brought in since the new rules have gone into effect a year ago.

First of all, perhaps I might look at some of the background of time allocation or closure motions in this Legislature. Mr Speaker, I think you as a long-standing member of the Legislature will recognize that time allocation or closure motions in the past have been very rare, rarely used by the government of the day. However, since 1987 this procedure has become almost routine for this government.

The government now treats time allocation motions, even though they are not provided for in our standing orders, as routine. Its position can be interpreted by us, and is interpreted by us, as a government that wants to use its 93 members to get whatever it, as the majority, wants through, and if it has to use time allocation or closure, it will use it as often as it feels like using it. I think that each and every time the time allocation and closure motions are brought in they need to be examined by the Speaker, need to be considered by the Speaker as they relate to our rules and precedents that have been set.

I have stated on behalf of this caucus in the past that we are not totally opposed to the use, under any circumstances, of time allocation motions. In fact, as has been pointed out and was pointed out by myself, we have on one occasion supported a time allocation motion when it was introduced by the government, and that was when we were dealing with Bill 94, the bill to ban extra-billing. It was our position at the time, and I think

it was an appropriate position, that to not bring in time allocation in that circumstance to end the filibuster that was occurring in the Legislature was to give a mixed message to the people of the province, and specifically the doctors.

We were in the midst of a medical and health care crisis, and by not ending the debate on Bill 94 we were encouraging the strike by doctors across this province to continue. So I think there was a very real and appropriate judgement that in that case it was appropriate to pass Bill 94 through the use of a time allocation motion. But I should point out that this was an extraordinary circumstance and is not something that should be seen as a normal process by this government.

We would argue that time allocation, generally speaking, is not provided for in our rules, and since the Bill 94 debate and time allocation we have rewritten the rules of this House twice. The last time they were completed was last year. Not under any of those circumstances did the government raise the issue of building in time allocation provisions in the standing orders of this House. Therefore, the government had the opportunity to negotiate it and deal with the changes in the rules, as the process normally calls for and has been the precedent in this Legislature.

Currently, the only rule we have in the standing orders that comes close to addressing the issue of time allocation is standing order 45. If the government believes that it can make a case for closure, it is our position that it should be making that case for closure under standing order 45, which is in fact the straight closure motion that has been in the orders for quite some time.

#### 1530

Of even more concern to this caucus is the constant additions that this government is putting into the time allocation motions. When we dealt with Bill 94, the time allocation motion was a straight time allocation motion. When we dealt with the Sunday shopping bills, it added the additional feature of dealing with two bills at once. When we dealt with Bill 162 on the time allocation motion, the government dealt with the additional feature of all the amendments being deemed to be moved in committee of the whole, even if they had not been moved and even if they had not been debated. That, we argued at the time, was a dangerous precedent. With this time allocation motion on Bill 68, that same provision is in place. I will go into our concern about the amendments being dealt with in that manner in the next few moments.

I also want to point out that yesterday the government was prepared to table a changed time allocation motion which, even though it has been withdrawn, demonstrates the fear in our caucus that time allocation motions are being used by this government to abrogate the standing orders that have been agreed to in a consensual way by all three parties. The time allocation motion being considered by the government yesterday, in addition to having what is in the motion we are considering today, had this additional paragraph:

"That on each day on which the House meets following the passage of this order, and until the House has disposed of all the remaining stages of the bill pursuant to this order, the House shall proceed to orders of the day no later than 4 pm and the Speaker shall interrupt any proceedings before the House for the purpose of enforcing this order."

That demonstrates very clearly that this government, the majority party in here, is prepared to do anything to the standing orders in order to get its legislation through, even if it means changing the routine proceedings that we normally go through. If it had proceeded with that motion, our argument would have

been that in effect the rules again were being changed without discussion, without consensus and in a very inappropriate way at the expense of the minority in the Legislature. While this motion was withdrawn, it again demonstrates clearly the attitude of the government, an arrogant attitude that does not respect the rights of the minority.

The rules in this place are here to protect the integrity of this institution, the rules are written and changed by consensus and the rules are here to protect debate and free debate from all members of the Legislature. The government is rewriting the rules and imposing them by motion and by the use of its majority. It is clear that the government will go to whatever extent is necessary to impose its will.

Only you, Mr Speaker, can protect the integrity of this institution. Only you can protect the rights of the minority. Under the rules we now operate under, your ruling cannot be challenged; this is the first time that this type of time allocation motion and a point of order on it has been raised since you have been given that additional power. It is going to be very interesting. It is certainly incumbent on the Speaker's office to consider all the points we will be making in the next few moments and to understand that at least in the past the opposition parties had the right to challenge a decision by the Speaker. We no longer have that right; therefore, the obligation and the difficulty of this decision by your office and yourself is further increased.

How has Bill 68 been handled by the government to date? I think that is the most important point in terms of whether this motion is premature at this time. On 20 December a time allocation motion was brought in by the government House leader as to how this bill would be dealt with in committee. The government's position had been that there would be no public hearings whatsoever across the province on Bill 68. Because of the pressure put on by the opposition parties, public hearings were eventually agreed to.

Keep in mind that Bill 68 is the most significant change in car insurance in the history of Ontario. It is an incredibly contentious bill. Over 50 per cent of the people in this province do not agree with the government's position. You, Mr Speaker, must determine whether the government is trying to limit debate fairly or whether it is simply trying to end reasonable and legitimate public debate and debate within this Legislature. Again, I repeat this is the most controversial legislation dealing with auto insurance in the history of this province. It is not unusual that there would be extended and full discussion in this place and public hearings in a standing committee.

I just want to read the motion that was passed before Christmas, and I will point out as I go through this that this procedure was done by consensus. The motion that was debated and passed on 20 December was:

"The standing committee on general government to conduct public hearings on and clause-by-clause consideration of Bill 68, An Act to amend certain Acts respecting Insurance, for a maximum of five weeks; that the committee be authorized to adjourn to places in Ontario for not more than six days; that the bill be reported to the House on 19 March 1990; and that in the event that the committee fails to report the said bill on the date specified, the bill shall be deemed to be passed by the committee and shall be deemed to be reported to the House and the report shall be deemed to be received and adopted by the House."

That motion was a result of lengthy discussions in the House leaders' panel, where this type of thing is supposed to be discussed and hammered out. I should point out as well that there was five days of debate on this bill at second reading; so

up to that point, up to 20 December, the bill had been introduced for first reading, there was no discussion, the bill came in for second reading and there was five days of debate. I would submit that is not an extended period of time. In fact, there is no way that could be described as a filibuster or as opposition parties trying to hold up the government's legislative agenda. Five days for second reading debate for the most controversial auto insurance legislation in the history of the province, I would suggest, is extremely reasonable.

Mr Ballinger: You say that about every bill.

**Mr D. S. Cooke:** If the member thinks five days is a filibuster, then he has got something to learn about the proper procedures and the role of the opposition parties in dealing with controversial items like this.

A verbal agreement by the House leaders was reached to limit the second reading debate and to deal with public hearings, and that was discussed in the House leaders' panel where it is most appropriate to deal with it. This demonstrates the fair and acceptable method by which we think these items of conflict should be dealt with in the House leaders' meetings and through consensus to the extent possible. The opposition has demonstrated very clearly its willingness to discuss this matter in a fair and equitable way with the government.

The second reading debate times were 14 November for two and a half hours, 15 November for three hours, 28 November for three hours and 4 and 5 December for three hours on each of those dates; 14 1/2 hours of second reading debate is not an unreasonable period of time for such a difficult bill—a bill, as I have said twice already and will repeat, that has the most radical changes in the history of Ontario to the way we provide car insurance in the province.

Then there was the government motion on public hearings, and that again was agreed to by consensus. It was a compromise. We discussed it several weeks in a row in the House leaders' meetings. The original proposal by the opposition parties was for unlimited public hearings. The original proposal by the government was for no public hearings. The compromise was five weeks. Six days of those five weeks would be travelling throughout the province to get input from areas outside Metropolitan Toronto. It was discussed and ironed out in the appropriate way by the House leaders. This clearly demonstrates the fairness with which the opposition parties were dealing with the government's agenda. The minority on this side recognizes and respects the rights of the majority in this place.

The standing committee had 20 days. It was limited to six days outside of Toronto; again, incredibly fair, given that the original position of the opposition parties was for unlimited public hearings as the government extended on Bill 30, the bill that extended funding to separate schools, and as the government extended to the doctors of this province on Bill 94. It seems rather strange to us that on Bill 94 the government said, "We will hear from every doctor anywhere in the province for ever and ever," but on this very important item, when it comes to disabled groups and other groups affected by the new automobile insurance plan, the government said, "We are going to cut off debate." In fact, it originally said it did not want any debate at all.

#### 1540

After the bill was reported on 19 March and the report from the committee agreed to in one day—one day of debate on the committee's report—we had two days in committee of the whole House, and at the end of the second day, the government brought in this closure motion. I think that is clearly an attempt by the government to limit debate by the opposition parties and was premature, to say the very least.

Rule 45 states: "A motion for closure, which may be moved without notice, until it is decided shall preclude all amendment of the main question, and shall be in the following words..." That deals specifically with the closure. It is the only provision for closure that we have in our rules. "Unless it appears to the Speaker that such motion is an abuse of the standing orders of the House or an infringement of the rights of the minority, the question shall be put forthwith...."

Those are the guidelines we must follow. It is very clear to us that it is premature, it is an abrogation of the standing orders of this House and it is an infringement of the rights of the minority. This is the only rule we can judge this motion of the government by. The Speaker must decide, is it an abuse of the standing orders and is it an infringement of the opposition or the minority rights? I suggest it is both.

I have already described the negotiations that took place at second reading and in the committee hearing stage. I have already demonstrated, I believe, the limited time that the opposition had. The closure motion calls for two days in committee of the whole House.

In the closure motion that the government has introduced, and I think this is important, there are two days in committee of the whole House. The government has 32 amendments to the bill; the Conservative Party has 30 amendments to the bill. We will have six hours, which will give us five minutes per amendment, barely time for the government to read the amendments, let alone have any exchange between the opposition parties. At the very least, Mr Speaker, I would suggest that this time allocation motion has to be changed and should be ruled out of order, because it is arbitrary in its nature and does not reflect the work that must be done in committee of the whole House.

Of course, the government has come up with a solution. The solution is that, whenever you want to limit debate in committee of the whole House and you have a lot of amendments, you simply put in a section to the time allocation motion that says, "At the end of the two days, even if the amendments have not been introduced, even if they have not been debated, they are deemed to be introduced, they are deemed to be debated, and they will all be voted on."

I would suggest that is incredibly unfair. It will result in the process not holding the government accountable for its amendments and not giving the opposition parties the opportunity to properly place and argue their amendments. The government will argue that its amendments have been before the committee for a few weeks, but they have not been debated. The Conservative amendments, as I understand it, have not been presented yet; those were prepared for committee of the whole House discussion. Five minutes per amendment, 62 amendments to be dealt with in two days—I think that is an incredible abuse of the rights for debate in this Legislature.

How much of the Legislature's time has been taken by other bills that have resulted in time allocation? Bill 162, the Workers' Compensation Amendment Act, had 162 hours and 16 minutes up to the committee report stage. Bill 68 has had closure brought in more quickly than any other bill in the history of this Legislature. Bill 30, the separate school bill, had 390 hours and 43 minutes. Bill 68, which is the most radical change in auto insurance ever in the history of this province, has not even come close to that. This bill is equally as controversial as Bill 30 or Bills 113 and 114, the Sunday shopping

bills, or Bill 162. Yet the government has brought in closure after two days in committee of the whole House, and this process, as I said, previous to that was negotiated by the House leaders.

Clearly, the government wants to shut down debate on this bill for political reasons. It is up to the Speaker to protect the rights of the opposition parties to have proper debate on controversial items that are before the public. They are using their majority to muzzle the opposition. There is no other way of describing it, Mr Speaker. You cannot allow this to happen.

I would like to refer very briefly to Erskine May and quote from page 408:

"In many sessions in order to secure the passage of particularly important and controversial legislation, governments have been confronted with the choice, unless special powers are taken, of cutting down their normal program to an undesirable extent, or of prolonging the sittings of Parliament, or else of acknowledging the impotence of the majority in the House in the face of the resistance of the minority. In such circumstances, resort is had...to the most drastic method of curtailing debate known to procedure, namely, the setting of a date by which a committee must report, or the allocation of a specified number of days to the various stages of a bill and of limited amounts of time to particular portions of a bill. Orders made under this procedure are known as 'allocation of time' orders and coloquially as 'guillotine' motions. They may be regarded as the extreme limit to which procedure goes in affirming the rights of the majority at the expense of the minorities of the House—and it cannot be denied that they are capable of being used in such a way as to upset the balance, generally so carefully preserved, between the claims of business and the rights of debate. But the harshness of this procedure is to some extent mitigated either by consultation between the party leaders or in the business committee"—which in our case is the House leaders' panel—"in order to establish the greatest possible measure of agreement as to the most satisfactory disposal of the time is available."

In this particular circumstance, this argument in Erskine May is very relevant in that all the sections of this bill on the second reading debate, the public hearings and the debate of the report coming from the standing committee on general government were all dealt with by consensus and by discussion in the House leaders' panel. Two days after we get into committee of the whole House, the government says, "Well, we have dealt with this by consensus in the past." At six o'clock—they do not even give us advance notice; no discussion at all in the House leaders' panel—they bring in this closure motion. This bill had been dealt with by consensus for the first two stages, but the government did not even attempt to use this process; had it attempted the process, it may have worked. For that reason, in addition to the others, I think this motion is out of order.

To sum up, I believe this motion is out of order because (1) there is no provision for time allocation motions in our rules and (2) the government is rewriting the rules of this House with its time allocation motions.

The Speaker must protect the integrity of the rules and the integrity of this institution, and the Speaker clearly must protect the rights of the minority and the rights of free debate in this place. This bill has been handled by consensus until now, and the importance of this bill and the fact that there are 62 amendments to be dealt with in the committee of the whole means that the solution that the government has introduced is unworkable and is unfair to the public at large and certainly to the opposition parties to have their positions put forward.

If the government brought in a different type of time allocation motion, perhaps different arguments could be made. Perhaps if it had waited and had been able to make a case, this motion—even at some point in the future—would have been in order. But it is clearly not in order today after only two days of discussion in committee of the whole and after the entire other sections of debate were dealt with by consensus.

There has not been a clearer example of the government abusing the rights of the minority with the use of time allocation motions than there is in this case. I ask you, Mr Speaker, to say to the government very clearly that if it is not going to bring in amendments to the standing orders to set out the criteria of when time allocation motions can be used, then you, Mr Speaker, in each of these cases are going to have to judge them by their merit. It is clear that there is no merit to this resolution that is put before the Legislature today, and it should be ruled out of order.

#### 1550

Mr Eves: Mr Speaker, on the same point of order: Although I am not going to be as long as my colleague the House leader for the official opposition, I do want to get some points on the record on why our caucus is supporting his point of order.

First of all, Mr Speaker, I would like to quote to you from Erskine May, page 1, which is always a good place to start, "The purpose of many of the rules is to safeguard the rights of a minority of the House: to guard against the development of an 'elective dictatorship' which some have predicted." Erskine May goes on to say, on page 1, "Above all, the balance between the right of governments to obtain their business and the right of the House as a whole to examine it...is maintained through the discretionary powers given to the Speaker."

Erskine May goes on, in chapter 19 at page 400, to state that closure and time allocation motions, often referred to as guillotine motions, "are felt to be an unfortunate necessity and to be justified only by the pressure of business or to counteract obstruction."

On page 406, Erskine May talks of the Speaker's role and goes on to say, "The intervention of the Chair regarding closure is restricted to occasions when the motion is made in abuse of the rules of the House, or infringes the rights of the minority." It is this infringement of the rights of the minority that the member for Windsor-Riverside has been speaking about for the last few minutes.

On page 410, Erskine May says, "An allocation-of-time order is not usually moved until after the second reading of a bill, and usually not until the rate of progress in committee has provided an argument for its necessity." It is on that point that I would like to dwell for a few moments right now.

As my colleague rightly states, this bill has seen only some two days of discussion in the committee-of-the-whole stage. Prior to that, every time limit and every restriction upon how long Bill 68 would be in committee, for example, has been agreed upon at the House leaders' panel. I can confirm what the member for Windsor-Riverside has said. There was never any discussion at a House leaders' panel meeting of the three parties trying to even agree with respect to committee-of-the-whole time. It has been in committee of the whole for only two days, and I think that you should take into account the other times that closure motions have been moved in this House and the amount of time that they have been debated at various stages.

Mr Speaker, the official opposition House leader has told you about the time with respect to Bill 162 and Bill 30, with

which I concur. I would like to refer you to comments by the government House leaders themselves on the two previous occasions on which they moved closure in this House. On 19 January 1989, with respect to the closure or time allocation motion on Bills 113 and 114, the government House leader of the day, the member for Renfrew North, was quoted as saying that he felt there was justification for moving closure because there had been 60 days of debate in the Legislative Assembly on those two bills.

Mr Speaker, I submit to you that even if you take into account all the time spent in committee on this bill, which was agreed upon at the House leaders' panel, all the time spent in second reading and the two days spent so far in committee of the whole, we have not even got to half of the limit that the member for Renfrew North, when he was the House leader, thought was the amount of time necessary for a closure motion to be viable.

I would like to refer you also to a previous instance, on 19 June 1986 with respect to Bill 94, when the then government House leader, the member for Brant-Haldimand, now the Treasurer of Ontario, referred the members of the Legislative Assembly and the Speaker to his justification on that occasion in terms of time spent at various stages of the bill, where there had been 36.5 hours on second-reading debate. Compare that to the 14.5-some hours that we have had on this particular piece of legislation. There had been 26 hours of debate in committee of the whole House to that point of time. We have had two days, a maximum of six hours, of committee-of-the-whole time. By the measure of that government House leader of what time is needed, we have approached only about a third in each case, not even a half, as was done with Bills 113 and 114.

Erskine May goes on to say that there is a "balance between the right of governments to obtain their business and the right of the House as a whole to examine it." I would propose to you, Mr Speaker, that this motion goes beyond the concept of the right of the government to obtain its business. It is an upset of that balance that must be maintained in order to ensure that the principle of parliamentary democracy is upheld.

Beauchesne's goes on to say that the principle that lies at the basis of English parliamentary law is to protect the minority and restrain the improvidence or tyranny of a majority. Beauchesne's goes on to say that privilege is the sum of the peculiar rights enjoyed by the House and by members individually, without which they could not discharge their functions. Not once during every step of the legislative process of Bill 68 has the opposition obstructed the government. All three parties have unanimously agreed in every single stage of this bill. That is what makes this case different in my mind, Mr Speaker, and I would respectfully suggest that you take that under consideration and advisement.

Up to this point in time every single stage of this bill has gone through, has worked through discussions and compromise with the House leaders' panel. I would refer you to standing order 14, Mr Speaker, under which it says, "Whenever the Speaker is of the opinion that a motion offered to the House is contrary to the rules and privileges of Parliament, the Speaker shall apprise the House thereof immediately, before putting the question thereon, and may quote the rule or authority applicable."

I would also remind you, as indeed the member for Windsor-Riverside has done, of your obligations under standing order 45, which, in part, says that, "Unless it appears to the Speaker that such motion is an abuse of the standing orders of the House or an infringement of the rights of the minority, the

question shall be put forthwith and decided without amendment or debate."

I would respectfully suggest to you that in this instance, Mr Speaker, after only two days of committee of the whole debate, by the government's previous House leader's own measure of what time is required to justify closure motions, this closure motion does not even begin to approach the amount of time that is required at the committee-of-the-whole stage, or other stages for that matter. There are a significant number of amendments, government and opposition alike, as my colleague the member for Windsor-Riverside rightly points out. Surely these amendments deserve the right to be debated thoroughly in this Legislature.

Perhaps if committee-of-the-whole stage had gone on to approach the time lines and the experience that we have had in this Legislature in the past with respect to time allocation motions, there would be some justification for such a motion in the House today. But I would respectfully suggest to you, Mr Speaker, that in this instance, with respect to this particular bill, where the House leaders and the House leaders' panel have agreed on every stage up to now, and where there has only been two days of committee-of-the-whole debate, this motion, to say the least, is somewhat premature.

Hon Mr Ward: I have listened with great interest to the arguments put forward by my colleagues in both the official opposition and in the third party. Some reference has been made to several of the standing orders during the course of this discussion. In fact, the House leader from the official opposition raises the point that the motion that is before us is tendered under standing order 45. I would suggest to the member, quite respectfully, that, as has been indicated under standing order 14, there has to be a justification. I would say to him that, in my view, that justification is under 46(a), because the government does have a right to put forward a substantive motion. That is exactly what we are doing. This is not a motion under standing order 45.

Getting back to some of the fundamental arguments that have been put, no one on this side of the House would quarrel one iota with the notion that the rights of the minority must be protected in any parliamentary democracy. We have heard some enunciation of the amount of time that has been taken up in debate. I guess, by the estimation of the third-party House leader, he would recognize that if his information and his hours are correct, this has in fact had more time in total debate than Bill 94 did before this motion was brought forward.

#### 1600

I would also put to you, Mr Speaker, that there was no limit put on second-reading debate. Second reading, as we all know, is an approval in principle. That matter was before the members of this House for several days, and I believe there was a division on that and the matter was decided without any time limit whatsoever.

Over the course of the consideration of this entire matter members of this House have had an opportunity to discuss the issues, to make their cases, to make their points and to make their suggestions over 28 days of consideration, during various stages of the process that we all follow in putting into place legislation in this House, some 107 hours in total of debate time. The suggestion has been made that because progress was being made in the committee of the whole House it would be inappropriate for the government to consider putting forward a motion of time allocation.

I would say to you, sir, that after two full days in committee of the whole House not one section of the bill was disposed of. I listened very carefully to the arguments that were being made by members of the opposition during the course of that debate. It was made clear to all, to everyone, that the intent was to do everything possible to stop this House from doing its business. That case was made and enunciated by the member for Etobicoke-Rexdale. Even the member for Algoma, in his remarks, made it quite clear that everything possible would be done to obstruct process on this bill.

It is with great regret, Mr Speaker, that we are before you today having to call a government notice of motion to allocate time on this matter. But I think, in considering the rights of the minority—which, in my view, have been protected in this case; absolutely no limitation on second reading—after having spent some 28 days, over 107 hours, discussing this matter, I do not believe the rights of the minority have been offended or abrogated in any way.

I would put to you, sir, that one of the fundamental principles of a parliamentary democracy is that important issues—and, in this case, one that has an impact of five million citizens in this province—must be decided. In this case the government has no recourse other than to pursue this motion in an effort to get this important issue decided in a way that is consistent with the wishes of the majority in this House.

I would suggest, sir, that under standing order 46(a) adequate notice was given and all of the requirements have been met. This is not a closure motion, I would remind you, under standing order 45, and I hope you will take these matters into consideration in rendering your decision.

Mr Wildman: I rise to participate in this debate on the question of order and whether or not this notice of motion 30 is in order. I want to respond to the—

Hon Mr Ward: Excuse me, point of order.

The Acting Speaker: Just one moment; the government House leader on a point of order.

**Hon Mr Ward:** Mr Speaker, I understand we were dealing with a point of order. I have heard a suggestion that this is in fact a debate.

Mr D. S. Cooke: It is a debate on a point of order.

The Acting Speaker: If I may, what I consider to be a reasonable point of order has been raised. It is the Chair's job then to listen to each of the parties who want to participate in making a comment or two on that. It is not a debate on a point of order. I am charged with the responsibility of listening to what people have to say on it. I think, in my view anyway, that the obligation is on the Chair to give the person who raised the point of order considerable latitude in explaining it. Others may respond to that, but I would caution members that I am not about to listen to an afternoon of debate on this particular point. If members have something that they wish to say succinctly and that is relevant to the point of order which has been raised, it is my job to hear them and I intend to do so.

Mr Wildman: Mr Speaker, I appreciate your advice. I am simply responding to the point of order raised by my colleague the opposition House leader and to the comments made by others, particularly the government House leader in his statement that he regards this matter to be dealt with under rule 46(a) rather than rule 45 as argued by the opposition House leader.

I look at rule 46(a), Mr Speaker. You will note that the government House leader is correct in saying, "A substantive motion is one that is not incidental to any other business of the House, but is a self-contained proposal capable of expressing the decision of the House." Then it goes on to give examples. The examples are "the motion for an address in reply to the speech from the throne, the budget motion, want-of-confidence motions on allotted days, resolutions, motions for returns or addresses, and motions for the appointment of committees."

It is my submission that in agreeing to this rule the members of this Legislative Assembly never intended that rule 46(a) would be used as a way of cutting off debate. It was never intended, either by the government or by the members of the minority, that rule 46(a) would be used as a guillotine, because that is what this motion 30 is in fact, a guillotine.

Mr Speaker, I am sure that you are well aware of the responsibilities that you hold in ruling on this point of order and also your responsibilities for carrying out the obligations placed on you by the members of the assembly and protecting the rights of all members of the assembly. I will not go on at any length except to say that it is very important to me, as a member of the House for almost 15 years, that we as members of the opposition recognize the responsibility and the right of the government to propose. It is just as important for the members of the government party to recognize the right and the responsibility of the opposition, Her Majesty's loyal opposition, to oppose.

It has been said in regard to the point of order that the use of closure or guillotine used to be rare in this House. It was something that governments, no matter how large their majority, approached with trepidation. It was not something that was done as a matter of routine; it was not done as a matter of expedience; it was not done as a matter of just getting the bills through.

I will not say anything about how arrogant I believe this motion to be because I do have a good deal of respect—and I mean that sincerely—for the government House leader, but I really am surprised and disappointed that we would be faced with this kind of a motion in this House today.

The government House leader has said that you should consider whether or not there is evidence of obstruction in ruling on this question of order. He has pointed to comments that I myself made in the committee of the whole House and comments my colleague the member for Etobicoke-Rexdale made.

There is no question that we consider Bill 68 to be a matter of considerable importance. There is no question that we in the official opposition, along with our colleagues in the third party, are opposed, diametrically opposed, to this legislation. There is no question that we consider it our responsibility to do all we can to persuade the majority in the House of the error of their ways in proceeding with this legislation as it is currently written. The question is, is that obstruction or is that simply carrying out our responsibilities as members of the opposition?

I am very concerned, as a member of this House for some considerable time, that we are indeed changing the rules of this House in practice. The rules of the House are set up to protect us all, to protect our rights in the minority and the rights of the government majority, but they are not just set up to protect the members, individually or collectively, in this House. The rules of this Legislative Assembly are set out to ensure that our democratic process, which is adversarial, proceeds not only for the benefit of the members of the Legislature but also for the benefit of the society as a whole.

#### 1610

I will just close by pointing out two things. The government House leader has said that there were 28 days of debate on this bill. Of that, we have heard five days were on second reading debate, which is not excessive. No one could suggest that it is excessive. In the committee, outside of this House, all but three and a half days were on public hearings. We would all agree that it was very important on a bill of such complexity and importance that we hear from as many interested parties and the general public as possible.

But to say that 28 days, most of which were public hearings, are sufficient for careful consideration of clause-by-clause I think really is not an acceptable argument by the government House leader. The debate in the committee was cut off after three and a half days of clause-by-clause debate. Then we moved to committee of the whole House and we participated for two days' debate on the clause-by-clause.

There are many amendments to be put, and I want to remind you, Mr Speaker, they are not just amendments to be put by the opposition. More than half of the amendments are amendments that the government is proposing itself.

The procedure set out in notice of motion 30 for dealing with those amendments, I submit, is not adequate to enable all members of the House to ensure that the legislation is the best it can possibly be before it is finally passed and sent to third reading. The procedure set out is clearly not designed to deal with careful consideration of clause-by-clause and amendments, but rather to get things through as quickly as possible with as little consideration as possible.

Mr Speaker, I submit to you that that is not acceptable. It is not acceptable for this House, it is not acceptable for us in the opposition and, in my view, it is not acceptable for the government.

Certainly it is not appropriate in dealing with important amendments that are going to affect most people in the province financially, and are not only going to affect them financially but are going to affect their civil rights and their rights before the law. To have a system set up which will deem that amendments have been put even if they have not been put, will deem that they have been debated when there has been no debate, and will require a vote by a certain date after only two days' consideration, is not acceptable. It is not a precedent that should be accepted in this House, and if it is, it sets a very dangerous precedent for the future workings of this assembly.

And then to suggest we will move immediately out of committee of the whole to a one-day session for the third reading stage of the bill does not indicate to me that this government is serious about dealing with legislation in a proper and thorough manner, which is the government's responsibility and the opposition's responsibility in serving the people who sent us to this place.

Mr Speaker, I hope that you will rule this motion out of order.

Mr Runciman: Mr Speaker, I will be rather brief in speaking to the point of order and urging you to find this motion out of order. I gather that the decision will really rest on whether you conclude that what is before us today infringes on the rights of the minority and in essence in your efforts to protect the minority and, as Beauchesne says, to restrain the improvidence or tyranny of a majority.

I want to say, Mr Speaker, talking as a member of the committee that toured the province discussing this matter with the public in rather limited public hearings, as you have heard

earlier, when both opposition parties wanted much more extensive hearings, longer time frames in terms of the sittings of the committee itself, visiting more municipalities, we were not able to obtain that agreement from the government and had to settle for something less.

But what concerns me, Mr Speaker, with respect to what is happening here today, is that if you review the proceedings of the committee—and I think this is quite important in terms of the decision you have to make—on the final day of public hearings, the government, following a filing under the freedom-of-information act by myself, tabled some 39 actuarial studies with the committee, looking at the implications of a variety of proposals before the government dealing with threshold no-fault and other matters.

None of the witnesses who had appeared before us up until the final day of hearings were able to assess the studies, to measure their impact, their accuracy, etc, and what the ultimate effect would be on the consumers of this province. I had to fight to get 15 minutes for Professor Jack Carr from the University of Toronto, a professor of economics, to have 15 minutes with a rather hasty assessment of 39 very complicated actuarial studies, as you can well appreciate.

I think that is an important ingredient in this, Mr Speaker, when you realize that most of those actuarial studies could have been made available to the committee at the beginning of its proceedings. Some of them were done and completed in the summer of 1989. Yet the government refused request after request to table those studies, coming up with a variety of excuses as to why it could not do so. Then on the final day of public hearings, those complex, comprehensive studies were thrown in our laps, without giving witnesses the opportunity to give input which could have countered some of the findings, could have pointed out weaknesses in the plan, etc. I think that is an important ingredient.

Another element of this, Mr Speaker, which I think is important for you to take into consideration has to do with the fact that late in the proceedings we discovered that the government had access to the rate filings by the insurance industry. In December 1989 they had preliminary rate filings indicating what the impact of this bill would be on automobile insurance rates in the province of Ontario. That is the end of 1989. We were just into our hearings.

I again raise that issue. The minister had the complete filings, or according to the requirement, the regulation, he was supposed to have the complete filings, by the end of January 1990. So he did indeed have the bulk of those filings, and again that information was not made available to us as members of that committee. Here the minister was out speaking publicly, indicating that rates were going to be significantly higher than what he had been saying to the House and to the committee, and his rubber stamp experts on the committee were saying virtually the same thing that he had been saying earlier, and that kind of information was not made available to members of the committee.

Mr Speaker, following your advice and moving right along, if we get back into the House in committee of the whole, two days of hearings, I think that the two days with the committee of the whole—and the minister overreacted. He has complained about the member for Algoma getting up and clearly indicating what he felt his role was as a member of the opposition. I do not think there is anything wrong with that. The minister himself served in opposition and he knows that we have a role to play, but he should also be aware, based on the testimony before the committee, that there is considerable concern out there among

the public. The overwhelming number of people who appeared before us had very serious concerns or reservations about this act, yet he has the gall to say to this member, who on the second day of committee of the whole says this is our role, to make sure—

The Acting Speaker: Order, please. I do not mean to interrupt your train of thought on the point of order, but I have not heard you mention it in the last few minutes and I would like you to address the point of order that is before the House at the moment.

#### 1620

Mr Runciman: Mr Speaker, I appreciate that guidance. Erskine May—and this has been mentioned to you earlier, Mr Speaker—on page 410, in reference to a time order allocation, says it "is not usually moved until after the second reading"—and this is the important part—"and usually not until the rate of progress in committee has provided an argument for its necessity."

Certainly it has been indicated we have a significant number of amendments with the government and with the opposition parties which we are not going to have an opportunity to air. We have a number of very concerned groups in society that want those amendments put forward, that want them argued, that want their cases presented in this Legislature. They are not going to have that opportunity if this goes through as constructed and contrived by this government.

I will sum up by saying a couple of quick things in respect to this. Again, I think it is important, when we look back on the history of initiatives such as this, 28 days, in essence. We had 60 days for Bill 113 on Sunday shopping. The government has used 36 1/2 hours on second reading and 26 hours in committee on Bill 94, and on Bill 68 the comparisons are 14 1/2 and six. Obviously, Mr Speaker, when you look back over the history of initiatives such as this, there is really no justification for what the government is attempting to do here today.

The Acting Speaker: Thank you. I want to point out a couple of things to the members before I begin.

Members will know that a motion such as this has been in Orders and Notices, so the table officers and the chair have had an opportunity to do a little bit of researching of practices and precedents, of reviewing the standing orders of this chamber. So it does not exactly come as a surprise that someone might question whether such a motion is appropriate. We have had an opportunity to do that.

Very succinctly, I would like to point out to members that in this chamber we do—

Mr D. S. Cooke: On a point of order, Mr Speaker: Is it your intention to rule now?

The Acting Speaker: Yes.

Mr D. S. Cooke: I would object to that and suggest-

The Acting Speaker: Order, please. I do not mean to intervene with the member, but I have tried to provide an opportunity where a point of order could be heard at some length. I have tried to hear from all sides on the matter. I believe I have heard that. I am not about to engage in a debate with anyone. It is my unfortunate job to make a ruling when I am asked to do so and when I feel comfortable that I have sufficient precedents before me and sufficient evidence has been provided during the course of the debate that I can make such a ruling. It is now

clear to me that I can do that and I would appreciate the opportunity to explain my ruling.

Mr D. S. Cooke: I would like to make one point before you make your ruling.

The Acting Speaker: I will allow the member for Windsor-Riverside, who made the original point of order, to make an additional point.

Mr D. S. Cooke: Mr Speaker, I find it difficult to accept that this process—I understand that the motion has been in Orders and Notices for a couple of days and I understand that the precedents would be looked at, but you have not had the opportunity until this afternoon to hear the arguments from the opposition parties and to have the precedents when we have given some additional points and some differences in this case from the precedents that exist in this place.

To simply say that when we finish you are going to give a ruling, to me, makes me feel, and I believe my caucus and the opposition parties, that there has not been adequate consideration given to our points. I would ask, Mr Speaker, that you consider the points and do the appropriate thing, as has been done on every other instance, where a ruling is reserved and a proper ruling in its entirety is given after there is fair consideration. Otherwise, I do not think that our points have been fairly considered.

The Acting Speaker: The member has a good point. Normally I would have done precisely that. My problem is, the motion having been printed in Orders and Notices, as is part of our duties—

Mr D. S. Cooke: Our arguments haven't been printed on the order paper.

The Acting Speaker: I did offer the member an opportunity, without interruption from the chair, to put his point of order, and I would appreciate that being reciprocated.

The motion was printed in Orders and Notices. It is part of the normal course of our duties to research the practices and precedents of the House and standing orders to check to see whether initially we concur that such a motion would be in order.

Normally I would be quite prepared to reserve judgement on the matter. My difficulty is that, as soon as we began to do that, it became apparent to us that there were substantive precedents given by the Speaker on the matter recently, to the point where in 1986 on Bill 94, in 1989 on Bill 113 and Bill 114 and in 1989 again on Bill 162, the Speaker went to great length to provide a substantive judgement on the particular matter that is in front of us this afternoon.

So I want to say briefly a couple of things. Members have made mention of standing order 45, and I want to bring to your attention that we are very specific in this chamber about what is and what is not a closure motion. The members are quite free during the course of the debate to use it any way they want, but from the Chair's point of view, if you use the following words contained in standing order 45, "That this question be now put," that is closure and that does raise some of the matters that members have raised during the course of debate on this point of order this afternoon about whether that is fair and reasonable and sufficient time and a number of other matters.

The difficulty that we have, of course, is that what you have before you this afternoon is basically a time allocation motion. It is difficult for us in the Chair to judge whether such a motion is appropriate, whether it is advisable, whether it makes sense to

the members to do that. From our point of view, we are restricted somewhat to simply ruling as to whether or not such a motion is in order.

If one examines the practices of this chamber, we use time allocation a great deal. As the member for Windsor-Riverside pointed out, on most occasions that is done by consensus, by agreement.

The Chair is not privy to such a thing. From the Chair's point of view, we see the end result of such deliberations, and that is that a motion is put before the chamber indicating how many days will be set out for hearings and how many minutes each of the caucuses will be allocated. The standing orders themselves do make mention from time to time of incorporating time allocation into the standing orders.

So I am afraid there is not much doubt, in the Chair's mind at least, that the motion before you—whether it is desirable or not is another matter altogether, but in quoting from Erskine May and from Beauchesne, the members themselves have established that there is no question that the motion is in order, and so that is the ruling. The motion is in order and we will now proceed with the debate on that motion.

Hon Mr Ward: I suppose that many of the arguments that I was prepared to put forward in support of government notice of motion have been put forward during the consideration of the point of order which you have just ruled on, Mr Speaker, but I did want to make some additional comments, particularly in relation to the interventions that took place after my last intervention.

As you have indicated in your ruling, Mr Speaker, indeed this is not a motion for closure; it is a substantive motion expressing the will of this House in terms of how it orders its business on a matter that it has been dealing with for some time.

I was interested to listen to some of the assertions that more recent precedent would indicate that perhaps this particular time allocation motion was unlike the others, that indeed because the bill had only been in committee of the whole for two days it was somehow different than in the previous circumstances.

I would point out that although the bill was in committee of the whole, unfortunately, for just two days, no progress was being made whatsoever and there was every indication that it was quite a wilful exercise to ensure that no progress would be made. As a matter of fact, in the ruling that was rendered, I believe, last January in relation to the same matter under consideration of Bill 162, that bill had only been in committee of the whole for one day. It was clear that it was being filibustered during the course of the select committee.

That is not in any way to be judgemental as to how all members feel about a particular piece of legislation, but the motion before us today, I would remind all members, is a motion which deals with process. I, for one, and I believe most people in this province, very strongly believe that important matters at some point must be decided, and not all issues can be decided in unanimity or through consensus, and obviously it has been made quite clear to all that this is indeed one of those issues.

So it is my reluctant duty to put forward this particular notice of motion, which will allocate the time of this House for two more days of consideration in committee of the whole so that amendments can be put forward and considered. I would argue that—

#### 1630

**Mrs Marland:** Mr Speaker, I rise on a point of order to ask a question.

The Deputy Speaker: That is not a point of order.

Mrs Marland: My point of order is this, Mr Speaker: You have now assumed the chair. You are the Deputy Speaker. I would like to know, when you asked the member for Oshawa to take the chair for that important ruling a few moments ago, whether before you asked him to take the chair, you had asked the member for Oshawa whether he was party to the discussion in his caucus this morning on the point of order that was going to be raised in dealing with the government notice of motion.

The Deputy Speaker: Each member who is presiding in this chair as officer of the House is entitled to make his or her decision pertaining, and it stands as a decision of the Chair. I was not party; I was not aware. He made the decision and it stands because he was a full member of the chair at the point. So there is your answer.

Mrs Marland: My point of order is this, Mr Speaker: Do you delegate—

**The Deputy Speaker:** That is not a point of order. There is no calling my—

Mrs Marland: Do you hand the gavel to the next person to chair—

The Deputy Speaker: You have asked a question. I have answered it. It is not a point of order. I have explained it to you. That is it. You must not call upon my decision. I am sorry. There is no discussion. Whoever is in the chair can make his or her decision accordingly, and he made that decision.

Mr D. S. Cooke: Well orchestrated.

The Deputy Speaker: It was not orchestrated whatsoever.

Hon Mr Ward: As I was saying, the time allocation motion does provide for two days of further consideration in committee of the whole House. Much has been said about the fact that there are opposition amendments to this legislation. At the beginning of committee of the whole House on two occasions, before proceeding, the Chair asked all parties, all members, if they had amendments to table.

I would remind you, Mr Speaker, that no amendments have been tabled at all to this legislation by either opposition party. You know full well from having sat as committee of the whole Chairman on many occasions that the government would never get away with putting forward amendments that had not been tabled at the beginning of the committee of the whole House. So I would suggest that there is quite a clear indication that, as yet, neither opposition party has any intent of putting forward some constructive alternatives.

I think I have made as many points as I would like to and I move government notice of motion 30.

Mr Ward moved resolution 30:

That, notwithstanding any standing order or special order of the House, in relation to Bill 68, An Act to amend certain Acts respecting Insurance, two sessional days shall be allotted to consideration of the bill in the committee of the whole House. All amendments proposed to be moved to the bill shall be filed with the Clerk of the assembly by 5 pm on the first sessional day on which the bill is considered in the committee of the whole House. At 5:45 pm on the second of these sessional days, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question neces-

sary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Upon receiving the report of the committee of the whole House, the Speaker shall put the question for the adoption of the report forthwith, which question shall be decided without amendment or debate.

That one further sessional day shall be allotted to the third reading stage of the bill. At 5:45 pm on such day, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further amendment or debate.

That in the case of any division relating to nay proceedings on the bill, the division bell shall be limited to five minutes.

Mrs Marland: Mr Speaker, I have a point of privilege. The government House leader has said that the opposition parties did not indicate that they had any amendments to this bill. I am on record as indicating that we, in the Progressive Conservative caucus, do have amendments for this bill. I was even specific enough to say that mine were for the disabled. It is true that they have not been tabled, but this government House leader knows that I have amendments to this bill. What he just said was not correct.

**The Deputy Speaker:** That was a point of information. Fair enough.

Mr Kormos: I suppose, first, one should respond to the comments of the government House leader, who I have no doubt is somewhat pleased at the ruling of the Speaker. My initial quarrel, though—and I hope some day, somewhere, he would explain how this could have happened—was that during the course of his argument about the point of order raised by the opposition House leader, he spoke of this motion being one of substance, being a substantive motion, and therefore one which succumbed to the guidance of standing order 46. Yet in the course of his preamble to the debate on the motion itself, he speaks of it as being a motion that concerns itself with process.

Here we go. Within minutes, within seconds of commencing this debate about this motion, we have the government House leader contradicting something he said in support of his argument about the point of order. It boggles the mind. Although mind-boggling, it is not unexpected, and, as I say, I hope some day, somewhere, the government House leader will see fit to explain how he could contradict himself within moments of there having been a ruling against the point of order about this particular motion.

We are opposed to the motion, and there are a whole number of reasons why. Let me tell you what the first reason is, and I want to make reference to a brief note from a woman, Kim O'Quinn from Lasalle, Ontario. This is a note that she sent to the Committee for Fair Action in Insurance Reform. She writes:

"I was injured in a car accident one and a half years ago. I'm a mother of two. My youngest was three months old. With a cervical sprain and pinched nerves in my neck, it was very hard to cope, unable to hold my baby for any length of time. Not only the pain on the outside I hurt inside unable to hold him the way I did with my first child. Having friends doing my major housework made me feel useless. Listening to my baby cry and unable to hold him close when he had gas. Headaches so bad I can't get out of bed. I can't bowl on my league any more.

"I'm a victim and I find it very unfair. I know I'm not the only mother out there trying to cope. But we should not go unheard. When a baby cries for his/her mother's love and caressing which he can only have for a few seconds at a time, and they need it longer. It hurts so bad, I cry all the time.

Because I can't enjoy the children the way I could have before 29 July 1988. So please take into consideration the victims not only the injured but the families who have to go without the special things mommy used to be able to do. I know with time and therapy I can. But I will never have my time back with my baby to hold and love the way other mothers do. The negligent drivers should be punished and made aware of the pain and suffering with everyone involved.

"No-fault, no thanks," is what Kim O'Quinn from Lasalle, Ontario writes. She adds to that that cases like hers should not go unheard and says, "Please take the time to read this."

So we oppose it because of people like Kim O'Quinn from Lasalle, Ontario. We oppose it because of people like James Hembruff from 41 Woodhall Road in Markham, Ontario, who sends his message to Queen's Park saying, "I say no-fault, no thanks." We oppose it because of people like Rita Scarrow from 3293 Anderson Court in Mississauga, who says, "No-fault, no thanks."

We oppose it because of people like F. Langner from 2313 Islington Avenue in Rexdale, who says, "No-fault, no thanks." We oppose it because of people like Denise Oliver from 1706 Janna Boulevard in London, Ontario, who says, "No-fault, no thanks." We oppose it because of people like N. A. Crawford from 72 Montcalm Drive in Kitchener. He says, "No-fault, no thanks." We oppose it because of people like G. I. Chapman, 2290 Carol Road in Oakville, Ontario. Mr Chapman says, "No-fault, no thanks."

#### 1640

We oppose it because of people like N. A. Crawford from Montcalm Drive in Kitchener, who says, "No-fault, no thanks," underlined, underlined, underlined. He really means it.

People like Austin Murphy from 169 Wanless Avenue in Toronto who says, "No-fault, no thanks," who says, "I would like to support the effort to slow or stop the passage of the legislation," and who wished that he had had more time and there were more time allocated to a discussion of the legislation.

People like Kevin High from Gammage in London, Ontario, who says, "No-fault, no thanks"; Lorraine Lyons, Logan Avenue, London, Ontario, who says, "No-fault, no thanks"; C. McEwen, Riverside Crescent, "No-fault, no thanks"; M. Grzesiak, Springwood Crescent in Oakville, says, "No-fault, no thanks."

Willowdale, Ontario: Christopher G. Cameron says, "Nofault, no thanks." Brockville, Ontario: Mrs Donna Irish from RR 1, Brockville, Ontario, says, "No-fault, no thanks." Mississauga: P. Leupen from East Park Court, says, "No-fault, no thanks." C. A. Smyth from Oshawa says, "No-fault, no thanks," and C. A. Smyth wants to support the effort to slow or stop the passage of the legislation.

Brampton, Ontario: P. Kodavatiganti from Cowan Road says, "No-fault, no thanks." John Anhang, Sherbourne Street, Toronto, says, "No-fault, no thanks." He writes, "Dear Mr Elston, I think no-fault is no fair because I lose my rights to seek compensation for damages to me, my family and my property. Please"—he is pleading—"forget about no-fault insurance."

From Sarnia, Guy Winward from McGee Street says, "No-fault, no thanks." Guy Winward says, "I would like to support the effort to slow or stop the passage of the legislation." Islington, Ontario: Ms Innes says, "No-fault, no thanks." Utopia, Ontario—if there was anywhere in Ontario where surely there

3 APRIL 1990

cannot be very many Liberals, it has to be in Utopia, Ontario. A. Kursis—

Mr D. W. Smith: Don't be too sure.

**Mr Kormos:** There might have been in 1987, but once this legislation passes, there ain't going to be too many.

RR 1, Utopia, Ontario, what a great place to be able to say that you are from, but what a sad contradiction with the reality of the Liberal regime in Ontario since 1987. A. Kursis from RR 1, Utopia, Ontario, says, "No-fault, no thanks." D. and S. Lehman from 23 Alice Street in Guelph, Ontario, the home of the parliamentary assistant for the Minister of Financial Institutions, say, "No-fault, no thanks."

Mike Sampson, 444 Rose Avenue in Peterborough, Ontario, says, "No-fault, no thanks." A. Ketchum from Cheritan Avenue in Toronto, "No-fault, no thanks." London, Ontario: Winona and Cecil Rhodes on Cairn Street say, "No-fault, no thanks." They say they want to support the effort to slow down or stop the passage of the legislation. Virgil, Ontario, down in the Niagara Peninsula: Bruce and Melanie Zolaturiuk, Box 515, say, "No-fault, no thanks." Chatham, Ontario: Liliana S. Zugna from Partridge Crescent says, "No-fault, no thanks."

Those were among the 15,000 people whose names were presented to this government today, who have been petitioning this government with the plea, "No-fault, no thanks." Those are but a few of the names among the 15,000 who took the time out to send the "No-fault, no thanks" messages, along with the thousands and thousands of others who phoned their MPPs, who wrote to their MPPs, who phoned the Premier's office, who wrote to the Premier's office, who visited Queen's Park, who visited their MPPs' constituency offices or their MPPs' legislative offices to say, "No-fault, no thanks."

These people come from ridings that are represented by Conservatives. These people told their Conservative members, "Do everything you can to stop this bad legislation." They certainly told their New Democratic Party members in ridings represented by the official opposition, "Do everything you can to stop this bad legislation." They visited and wrote to and called, I am sure, each and every one of the Liberal members of this government, both frontbenchers, some heard from, some not heard from, and backbenchers, some heard from, some not heard from, some never seen. Out of sight, out of mind. They said to the Liberal members of the Legislature, "No-fault, no thanks."

Not only did people come in person and phone in person and send personal letters, but Liberal activists in Liberal riding associations told their members, "No-fault, no thanks."

Miss Martel: Where?

Mr Kormos: They did it up in Sudbury, where I am told there is a Liberal member. They did it in Hamilton, where I am told there is one Liberal member. They did it down near the Windsor area, be it by resolution or merely by personal contact, and they had some agreement on the part of their member, to his great credit, from down in Windsor. They did it in London too.

Let us talk about what we are talking about right now. We are talking about a motion that is going to significantly inhibit and prohibit the discussion of this legislation. No disrespect to the Speaker, but I am saddened and I feel it is not inappropriate for me to say I am saddened by the Speaker's ruling on the point of order. As I say, no disrespect to the Chair. I do not want to be anywhere but right here, right now. But I am saddened by the Speaker's ruling. I am saddened because there was, I

believe, some misimpressions about what really has taken place with respect to this legislation from the beginning.

343

First of all, this is not legislation upon which the Liberals canvassed or campaigned or ran a campaign in 1987, or indeed at any time prior to that. I know that Liberals of different types and at different times are capable of doing many different things. The Liberals in Quebec in 1970 campaigned on the issue of public auto insurance. The Parti Québécois was elected and introduced public auto insurance which the Liberals now run in Quebec. A good friend of the Premier's, Mr Bourassa, has in the recent past touted the Premier, David Peterson, as a Liberal leader for all of Canada, but in 1970 Liberals in Quebec campaigned on the issue of public auto insurance. So Liberals have at different times and at different places advocated—

**Mrs Marland:** On a point of order, Mr Speaker: I do not observe a quorum in the House at this time.

The Deputy Speaker ordered the bells rung.

1650

Mr Kormos: As I say, the Liberals did not campaign on the policy of threshold insurance, neither in 1987 nor in 1985, not in this province. Indeed, they campaigned on a promise and it was a promise that they had a very specific plan to reduce automobile insurance premiums.

That was the promise and we have talked about it, oh so many times here at Queen's Park and outside of Queen's Park, the promise made in 1987, three days before the general election, by the Premier of Ontario down in Cambridge, Ontario. Of course that caught the interest of people in Ontario because they knew that the cost of automobile insurance was an important issue. They knew that the availability of auto insurance was an equally important issue. They knew that the shabby treatment of drivers and victims across Ontario was a paramount issue.

When that government began to sit in 1987 the constant question of the Premier was: "You made a promise that you had a very specific plan to reduce auto insurance premiums. Please share it with us. Please tell us what you had in mind, Mr Premier, when you promised that you had a very specific plan to reduce auto insurance premiums. Please, David Peterson, when you promised the people of Ontario that you had a very specific plan to reduce auto insurance premiums, tell us what you had in mind, because we would like to see it implemented. We would like to see it put into effect. We would like to see it enacted here in the province of Ontario.

Mr Chiarelli: Ed Filibuster is in here.

Mr Kormos: The member for Ottawa West does not understand that when I am here, I suspect that can make up for a whole lot of Liberals. There only has to be one of me, notwithstanding that there are 10 or so of them.

The question was asked of the Premier: "Produce, deliver. Tell us what your plan was." The Premier did not have one. The Premier had no idea what he was talking about. The Premier did not even give very much effect to his promise to cap or freeze insurance rates, because after they were frozen they kept going up: first, 4.5 per cent; then another 4.5 per cent—that comes to 9.2 per cent in a way that results from the percentages being compounded—then another 7.6 per cent.

Then we realized that caps and freezes did not mean anything at all anyway, because insurance companies were jerking around with the numbers and mucking around with the caps. They were doing flips. They were doing shuffles. What was happening was that if you were insured by insurance company

A and insurance company A did not want to violate the spirit of the freeze or of the cap, insurance company A simply told you that it did not want to insure you any more.

Let's say you were paying \$850 or \$1,000 a year to insurance company A. They wanted to charge you something well in excess of the 7.6 per cent, the latest freeze, so they simply told you that you were not going to be renewed. The people across Ontario have had this experience. They simply told you that your insurance was going to be cancelled upon the expiration or termination date of this policy.

What happened was that the broker or the insurer referred you to company B, and company B, with some moaning and groaning and some hesitation, would take you on, but instead of the \$850 or \$1,000 that you were paying to company A, its rate was \$1,350 to \$1,500, well in excess of any 7.6 per cent cap or freeze, the latest one.

It seemed to be a matter of just bad luck on the part of the insured until the insured looked at the policies of company A that did not renew them, that charged them \$850 or \$1,000, and company B that took them on after company A dropped them, and company B charged them \$1,350 or \$1,500 a year premium. They discovered that they had the same address, that they had the same executives and directors, the same president, the same treasurer. If you looked a little bit, if you scratched the surface of the corporate records, you found out that these in fact were sibling companies sharing the same parentage. That was the premium shuffle. That was the premium flip.

That certainly was not a very specific plan to reduce auto insurance premiums, nor was it a very specific program of consumer protection because drivers, insured parties, were being thrown to the wolves.

We came to the Legislature and we tried to talk to the Minister of Financial Institutions, who talked about his superintendent of insurance and the scheme in effect to protect drivers against this type of shabby treatment. On the minister's advice we wrote about these cases of premium shuffles to the superintendent. The superintendent replied and his reply was basically: "Too bad, so sad. There is nothing we can do about it. There is nothing we are prepared, or nothing we intend to do about it." Indeed, when finally pressed, the Minister of Financial Institutions agreed that this type of practice took place, agreed that it went on and agreed that there was nothing that he could do about it, nothing that he would do about it.

Let's take a look at this particular bill, Bill 68, because this motion before the House is about the Liberals telling the people of Ontario that they do not want to see this bill debated here in the Legislative Assembly. They do not want to see it talked about, and there has been some talk, which may be misleading, about really to what extent this bill has been discussed so far.

At second reading, which is the first time the bill was subjected to debate here in the Legislative Assembly, it is common ground that the bill underwent some five days of debate. But what does that mean? Does that mean five days? Does that mean five days from eight in the morning until four at night? Of course not. It means somewhere between two and a half to three hours a day. That was for 130 people to talk about a piece of legislation that was shocking and alarming, because not only had the Liberals not campaigned on it during the last election, or any election prior to that, but their very own advisory boards had condemned it.

Mr Justice Osborne had condemned threshold automobile insurance in his report, the very same type of insurance was contained then and now in Bill 68. The Ontario Automobile Insurance Board, John Kruger and his multimillion-dollar

monster up in North York, had studied threshold systems, threshold systems that were not as onerous, not as draconian, not as rigorous in their standards and in their demands as this one was and is.

The threshold systems are primarily an American invention. Let's not make any mistake about that. What we are talking about here is an import, something about which Americans, sadly, have a whole lot of experience, which is why American jurisdictions are abandoning threshold insurance.

Kruger and the Ontario Automobile Insurance Board rejected and condemned threshold insurance, the very same sort of insurance the Premier would want us to buy via Bill 68. So Bill 68 was indeed one heck of a surprise when it came to this Legislative Assembly in time for second reading, the first opportunity members of the Legislature had to debate it.

It was something that was entirely alien to the recommendations of both Osborne and the government's own Ontario Automobile Insurance Board. To say that there were some five afternoons, two and a half to three hours each, for 130 people to talk about that, indicates that there was not a great deal of time for an entirely novel and entirely alien proposal to be discussed at the first opportunity, the first opportunity given for a debate in the Legislature.

#### 1700

Remember that the bill is somewhat different in the form it appears in this Legislature now; that is number one. Number two, the bill was supposed to have been part of a package.

In September, up in North York at the Ministry of Transportation, five cabinet ministers came out to do their chorus line when they announced the Ontario motorist protection plan. What we have learned since those days is that really this is the Ontario government's plan to protect the profitability of insurance companies and to condemn drivers, victims and tax-payers to constantly being skewered and having their pockets picked and their wallets and purses emptied.

When we were told about the Ontario motorist protection plan, I have to tell members that I was cynical at the time—there are no two ways about it—because I was hard-pressed to believe this government could ever keep a promise. I was hard-pressed to believe this government ever said what it meant or meant what it said because of its track record, its dismal, pitiful track record.

The Ontario motorist protection plan attracted, as I have said, not just the Minister of Financial Institutions but the young Solicitor General; the brand-new, spanking new Solicitor General was up there. The Minister of Transportation was up there and the Attorney General was up there. He may never forgive me for this, but I cannot remember who the fifth cabinet minister was. What an impact he made at the press conference in September 1989. I am pleased to have help in that regard. Nobody else can remember who it was.

#### Mr Ferraro: Sorbara.

Mr Kormos: This is like a Trivial Pursuit game. The member for Guelph this time wins the prize. The only other prize was the other day when I referred to members of the government caucus sitting there like an illustration from a Kurt Vonnegut Jr novel; that is the other Trivial Pursuit question. There is only one person in this whole building who has been able to tell me what that illustration is. Again, if any of the members can tell me here and now what that illustration is, he wins the second prize of the day. The parliamentary assistant, the Liberal member for Guelph, has won the first Trivial Pursuit prize.

3 APRIL 1990

The brand-new Minister of Consumer and Commercial Relations talked about ghost cars to reduce auto insurance rates. We are familiar with the ministry's use—at least we are told about the ministry's use; I am not familiar with it—of ghost cars to deal with auto mechanic frauds.

Mr Haggerty: Are you still driving your motorcycle?

Mr Kormos: You bet your boots I am. I am driving anything that will at least make it to the speed limit.

You take a ghost car into a mechanic's repair shop. I know a whole lot of mechanics and the ones I know are, thank goodness, straight and honest.

Interjection.

**Mr Kormos:** They are down from Welland-Thorold. They are not Liberals, trust me.

What you do with a ghost car, as I understand it, is that maybe you take a sparkplug wire and disconnect it from the boot so that there is an arc between the end of that wire and the top of the sparkplug. You take it to a mechanic and say, "Can you identify the problem here?" If the mechanic subjects you to a new starter motor, a rebuilt carburetor or that sort of thing and charges you \$1 million, the ministry then, with its ghost car, can figure out—

Mr Haggerty: Have you had your trip down to Florida?

Mr Kormos: I have not been to Florida in a long time. I think it is somewhat difficult for a person who is on the provincial payroll to be vacationing in the United States. I think we should be vacationing right here in Ontario and promoting Ontario.

Mr Haggerty: That's not what your former member for Welland-Thorold does.

Mr Kormos: Bless him. He is retired and he deserves the warmth in the wintertime, and at his age and with the hard work that he has done for so many years—we are talking about Mel Swart.

We were talking about ghost cars and how they work, but I cannot for the life of me figure out how a ghost car works in a motor vehicle collision scenario. How can you hide a dented fender? How can you conceal a smashed windshield? How can you fake a damaged tail-light lens? It seems very difficult for me to understand exactly what the ghost car is going to do in the context of auto body repair frauds. It is something the minister has never adequately explained.

Miss Martel: What did Greg say?

Mr Kormos: He said, "There is going to be a ghost car." I appreciate that he cannot tell us too much about it because if he tipped everybody off, then all these auto body repair shops would be tipped off to this ghost car. I have a hard time believing that. I do not know how a ghost car can be utilized effectively in an auto body repair scam situation.

There was absolutely no talk about talking with automobile manufacturers about the repairability of vehicles. We know that adds to the cost of motor vehicle auto body repairs, the very design, the fact that now you have to buy components. In many cars you cannot just buy a tail-light lens; you have to buy the whole tail-light assembly and it costs \$200, \$300, \$400 or \$500. You cannot buy single pieces, components, the parts of the whole. You have to buy the whole thing even though only a part of it is broken or damaged.

There was absolutely no talk about discussions with the automobile manufacturers and with the federal government to enforce standards about repairability in an effort to make auto body repairs more economical. That struck me as strange—ghost cars, but no talk about the real, down-to-earth issues, no talk about asking the federal government to increase the standards, to improve on the standards for bumpers so that we have more than the modest collision effect of five miles an hour at the most. In kilometres that is around eight kilometres, an eight point something kilometres-per-hour collision.

345

That is nothing. Indeed, that buggy in the supermarket parking lot that floats down the incline into the rear end of your car ends up going faster than five miles an hour by the time it hits it, and that is the one that creates as many irate car owners as anything ever does. It never has a driver.

Miss Martel: That is the ghost car.

**Mr Kormos:** Perhaps that is the ghost car. It has caused more than a few dollars worth of collision damage, much of which has been, I concede, claimed against people's first-party insurers. That is what their collision, they figure, is all about.

There was no talk about that ghost car. There was no illustration of how it was going to deal with motor vehicle auto body repair frauds. I am talking exactly about this motion.

If you had been here, Mr Speaker, at the beginning, I was starting to explain why we are opposing this motion. I was talking about a history and I am already up to September 1989, up in North York at the Ministry of Transportation, with five cabinet ministers—I can remember them this time—the brandnew Solicitor General, the Minister of Financial Institutions, the Minister of Consumer and Commerical Relations, a brand-new minister in that portfolio.

Miss Martel: Rick Ferraro, but he's not a minister.

Mr Kormos: The member for Guelph was not there as a minister; he was just there as a parliamentary assistant. There were a couple of others who should remain nameless. It is like Joe Friday. I was listening to it on the radio. They have Joe Friday serials where they talk about names being changed to protect the innocent. These people were simply brought along for the ride.

Ghost car: What ghost car? We have never heard of it since. You would think that if the Ontario motorist protection plan had such an important feature, the Minister of Consumer and Commercial Relations participating in programs to reduce auto body repair frauds, we would have heard—they do not brag, but they sing their own praises often enough—some of those praises being sung about how many places our ghost car has been at, how many communities, how many nasty, fraudulent auto body repairmen we have picked up.

That is really trying to pass the buck on to—all I could tell members about where I come from—many hard-working, well-trained, skilled mechanics who repair people's cars as best they can, honestly, with integrity, but who are stymied by the high cost of parts, by the unrepairability of cars by virtue of design, by the fact that five-mile-per-hour, 8.2-kilometre-per-hour bumpers do not protect any motor vehicle against very much damage, especially when there is nothing that requires bumpers to be the same height.

Have members ever noticed that? You have all these great five-mile-per-hour bumpers sitting at different heights, so if you are going to hit somebody, look for the same Jeep Cherokee that you drive, the same year, and hit him at no faster than five miles an hour. Then maybe you will avoid extensive collision damage. But if you pick on a Ford, Chevy or a Chevy S-10 pickup truck, it is just not going to work because there is no synchronization.

1710

The Acting Speaker (Mr Cureatz): I think it is deserving of a point of order. I suppose your discussion is all related to the fact that in terms of the time allocation motion and your concern in bringing out these various points, under the time allocation motion you will not be able to have the full opportunity of discussing these aspects. I know, from time to time, you will remind all of us of those concerns that I have.

Mr Philip: Mr Speaker, on a point of order: I did not hear any member of this House raise a point of order, so I am wondering where the source is of your point of order.

The Acting Speaker: From myself.

**Mr Philip:** Mr Speaker, you are usually more skilled at doing that by even sending little notes to members to raise your points of order. I am just wondering whether you may be starting a new process.

The Acting Speaker: Please, no.

**Mr Philip:** I do compliment you on your haircut. You look very smart today.

Mr Kormos: The Speaker only looks smart? I want to tell you—

Mr Philip: That was my follow-up line.

**Mr Kormos:** Mr Speaker, I appreciate your comments, notwithstanding that nobody raised a point of order, as to a Chair initiated point of order, I think the Chair could have the power to do that.

What is important to understand is that what we are doing right now—I hear what you are saying. I am not worried about having only three days, three two-and-a-half-hour to three-hour periods to discuss this most important legislation to hit this province in a long time, because I am confident that the members of this Legislature—this comes up for a vote, does it not?

When the members of this Legislature understand why we need more than a scanty three afternoons for 130 people to discuss such important legislation, I am confident that fairminded people, intelligent, rational people, people who care about the drivers, victims and taxpayers of Ontario, people who care about the fact that a Legislative Assembly is all about debating the issues, people who believe that democracy is important, people who believe that legislators have a responsibility to preserve democratic traditions, people who believe that jackboot tactics of arrogant majorities cannot be permitted to prevail, people who believe that the delivery of 15,000 signatures to the Legislature is significant, people who believe the member for Guelph when he says about the submissions to the parliamentary committee that heard people from across Ontario, "We, the Liberals, got hammered by people in opposition"when the member for Guelph says that, people who believe him, people who believe that just because the government has a majority in the Legislature does not mean it can gag and muzzle the opposition, people who believe that the government should not prejudge the results of a committee process, people who believe that the committee is the most important part of the course of any bill through the Legislature, be it a provincial Legislature or a federal Legislature, people who believe that significant and important legislation that is going to create a payday for the auto insurance industry of \$1 billion, those people are going to say: "Time allocation? What kind of little"—I was going to say—"neofacist would think of time allocation in the context of that? What type of petty, small-minded, arrogant, disinterested, uncaring lackey of a big, powerful, wealthy automobile insurance industry would think of that?

Mr Philip: Stalinist.

Mr Kormos: That was one letter I did not make reference to. Now that the member has brought it up, it is timely, because it was another letter that came with the petitions of 15,000 people. On one day alone we delivered 15,000 names to this Legislature, and as the member for Guelph says, "The Liberals got hammered." I know what he was talking about; he was talking about the opposition to the bill. This is a letter that was meant to be read, and it is a very cynical letter. It sadly is a cynical letter.

I am almost reluctant to read it because I do not want the cynicism inherent in this letter to permeate this assembly. The minister may be pleased to hear this and the member for Guelph may be pleased to hear this, the Liberal from Guelph who is the parliamentary assistant to the Minister of Financial Institutions and who was sent out to the front lines while the minister stayed in the bunker.

This man, Ed Couchy-

Miss Martel: What did he say?

Mr Kormos: I am reluctant, but I will. He says, "No-fault insurance will pass sure as the sun comes up in the morning." I looked at it more than once. He says, "No-fault insurance will pass sure as the sun comes up in the morning. Reason number one: The Liberals have a big majority. Reason number two: Insurance companies help the Liberals with funds when the election comes." He says, "What should be done?"

This is what the Liberals in Ontario have done to people who live in this great province. They have made them cynical. They have made them fearful of their government instead of respectful of their government. They have made them disfranchised when so many people fought so hard for so long to be enfranchised. They have alienated them from the democratic process because they have denied them a democratic process.

Mr Couchy came by his cynicism honestly. All he had to do was read the newspapers, watch the Legislative channel, watch what the Liberals are doing to this province, look at the sort or dirty, nasty little stuff that is contained in these types of motions. He says, "What should be done? The same as Walesa did the same as the East Berliners did, the same as the Hungarians did, the same as the Czechs did, the same as the Bulgarians did and the Romanians did and many more did."

Here is a man who understands that sometimes people have to seize democracy back from their masters, that sometimes cynicism can develop into complacency and then into fear. Buthen, as the Poles did and the East Berliners did and the Hungarians did and the Czechs and the Slovaks and the Bulgarian and the Romanians did, out of that cynicism and fear and sense of disfranchisement comes a spirit which motivates them to say "No more."

Just as the people in eastern Europe have said, "No more, to the arrogant, undemocratic institutions of those countries, the people of Ontario are going to say, "No more," to the type of arrogant Liberals, the type of arrogant Peterson government the promises one thing and does not deliver another, but deliver nothing, that talks big, talks a big one, but delivers zip, zero.

The members should think about it for a minute because I have had so many people approach me in the context of so many different discussions—provincial courts, just for example, provincial courts such as Niagara South is in dire need of. We learned it because the—

Interjection.

Mr Kormos: Exactly; we are talking about a government that is unresponsive, a government that should be compelled to sit here and listen to the debate and the discussion about this legislation until the leaves turn red and yellow again and fall from the trees. That is how long they should be forced to sit and listen. They might learn something, because they are not listening to the people out there in Ontario. They are not listening to the people out there on the main streets of big cities and small towns in the north and in the south and in the east and in the west.

They hear, but they are not listening. These people are cynical but they are also getting mad. Come the election, I hope—here were rumours—but provincial courts: Take the provincial court issue. Niagara South is in dire need of provincial court space, as well as district and Supreme Court space and as well as offices for court personnel and crown attorneys and judges. Just today we learned the Ministry of Labour shut down the provincial courtroom in Niagara Falls, a courtroom that was a satellite court, that functioned five days a week, and that its first appearance docket for this week, Thursday, is six pages long, around 120 accused. That is the first appearance date alone.

#### 1720

That is adult criminal court. Many of those will be in cusody. Many of those will want to plead guilty and be dealt with and sentenced on that day, but the court has disappeared from Niagara Falls. First of all, what has happened is that there is going to be a whole chunk of charges about which the state oses jurisdiction. This shutdown of the court, just like the shutdown of the Legislature inherent in the spirit of this motion before the House right now, is going to result in any untold number of persons charged with criminal offences being released because the state will lose jurisdiction over them.

Interjection.

Mr Kormos: The member, as a lawyer, knows exactly what I am talking about. As a lawyer, he may well have lefended people charged with criminal offences. If he did, he lefended them well with skill and talent to the point where the rown could not prove beyond a reasonable doubt their guilt, such that they were acquitted. We are talking about instances where a court is shut down speedily like this, where people are going to show up at that courtroom, as their summonses, their recognizances, their release orders compel them to, and they are going to find closed doors. The state will lose jurisdiction over hem. The state will have forfeited its charge at that point and he charge is history.

Remember before, when persons charged with drug trafficking and conspiracy to traffic in drugs—not little itsy bits of drugs, not that that should make any difference, but these were big-time cocaine traffickers, the sort of people who are poison nour communities—were discharged on a motion under the Charter of Rights because the district court judge up at University Avenue here in Toronto said that there had been an undue delay in the trial of those people?

Mr Haggerty: Blame it on the lawyers.

Mr Kormos: The member was here when I raised it. He was as concerned and mad about it as I was, that these people were discharged because court space provided by the province was not available to the district court for these people to have been tried speedily. They were not discharged because they were innocent. They were not discharged and sent out of the courtroom free as a bird because all of a sudden somebody decided that traffic in cocaine was a good thing. They were not discharged because the police and the RCMP had not done their jobs. They were not discharged because the federal prosecutor was not prepared to prosecute.

They were discharged because this Attorney General failed to provide adequate district court space with the same arrogant attitude that is behind this motion before the House right now. This Attorney General failed to provide adequate court space, so we ran the risk of drug traffickers being sent out on the street.

In the city of Niagara Falls we run the risk of people being discharged and the state losing jurisdiction over the criminal charges because the courtroom has been shut down. We see people being compelled, as accused persons, to be the subject matter of bail hearings that are going to be conducted in the bowels of a police station now. We are talking about justice. We are talking about a motion that displays no sense of justice. We are talking about a phenomenon right here in Niagara Falls where the greatest injustice is going to take place, where people are going to be forced into bail hearings in the bowels of a police station.

Where do public courtrooms take place in the bowels of a police station? Where does the freedom to exhaust all of one's legal remedies take place in the bowels of a police station? Where are the spectators expected to sit in the bowels of the police cells? There is a gross injustice that is going to flow from that.

Defence lawyers, I am told, are being telephoned, "Would you please tell your accused client to go to St Catharines on whatever day he or she is scheduled for trial?" The members know that is baloney, that one cannot compel the attendance of a person at a courtroom in St Catharines when the return is to a courtroom in Niagara Falls. First of all, we are talking about two different jurisdictions, are we not? We are talking about the judicial district of Niagara South as compared to the judicial district of Niagara North.

It is not as if the Attorney General and the government did not know about the pitiful state of courtrooms in Niagara South. They knew we were going to respond strongly to this motion, and they should have known that the courtroom in Niagara Falls was destined to be shut down, the doors bolted.

We talk about agendas. I wonder what the government's agenda on that is. Is that government really saying, "Oh gosh, the Ministry of Labour shut it down and there's nothing we can do about it. We didn't know that was going to happen," or is that part of a process designed to eliminate satellite courts in Niagara region? It is a worthy question, Mr Speaker, and I know you have a vital interest in that.

We are talking about this legislation, Bill 68, having been spoken about in second reading for a mere five days, afternoons only. This government, the Liberals, had every intention of ramming it through this Legislature before Christmas 1989; they did not want to have a single day of public committee hearings. The Minister of Financial Institutions announced that this bill was going to be passed by the end of December 1989.

Although on the one hand there are a whole lot of promises this government has not kept, among them the promise to provide a plan to reduce auto insurance premiums, there is a promise about which we can only speculate. That is the promise that must have been made to the auto insurance industry, that Bill 68 was going to become law come hell or high water. That promise, if it was made, the Liberals are going to do everything in their power to make sure it is kept. They are going to keep that promise to the big, wealthy, corporate auto insurance industry. Do they keep promises to the people of Ontario, the working people, the senior citizens, the young people in schools and colleges and universities, the young graduates who are looking for their first jobs? Do they keep promises to them? Not on your life.

This government had no intention of ever having committee hearings at all. It knew that committee hearings would expose this legislation to scrutiny, to examination by individuals and groups across Ontario and perhaps from beyond Ontario. Indeed, they were forewarned of that because among others who were critical of this whole approach—prior to the committee that we in the opposition wrested from the government—Ralph Nader was outspoken about this.

The members might remember last time we were here when we were trying to make some introductory remarks to this legislation in committee of the whole. When I was so rudely cut short, with all due respect to the Speaker, I was talking about the comments that Ralph Nader made before the committee on 15 January 1990. I have those comments before me in transcript form in Hansard and I am going to make reference to them during the course of my comments when it comes to this motion.

It is the very sort of criticism that Ralph Nader made of this legislation that this government wants to avoid now. It would be different if this government could tell the public that there is an agenda it feels compelled to deal with over the course of the next month or two months, but there is not one.

Let me tell the House why this motion is so inappropriate and why it smacks of nothing more and nothing less than pure jackbootism, than pure disdain for democracy, disdain for the people of Ontario. Let me tell members why. Second reading, a new bill, a thorough and tragic impact on the rights of victims and on the rights of people to have access to courtrooms. Now the problem with—

#### 1730

**Hon Mr Sorbara:** Peter, you should have Shelley doing this; she can do it much better.

Miss Martel: I'm going to be up tomorrow.

**Mr Kormos:** Tomorrow? The member for Sudbury East is going to be on this some time in two weeks, two and a half weeks.

We are talking about the committee-of-the-whole hearings, introductory debates that were sadly abbreviated. We are talking about second reading when there was just the barest opportunity for 130 members to participate in debate about a piece of legislation that so tragically, sadly, dangerously—from the point of view of civil libertarians—eliminates the rights of people to use the courts. This goes far beyond insurance law reform. This goes to the very heart of whether or not we in our province are going to let people use the courtroom as a forum in which to resolve disputes, as a forum in which to seek justice.

We are having a hard time believing that people can ever find justice here in the Legislative Assembly. Justice is something that we are hard pressed to find with this government, with the Liberals forming the government here at Queen's Park. Members might remember that some time ago I told them that not only is justice hard to find with this Liberal government, but that if Diogenes were walking down this corridor in front of those Liberal benches with his lamp, he would not even pause for a moment in front of any of them.

But we are talking about committee of the whole, wherein things were remarkably different. We won through hard negotiation, notwithstanding that the Minister of Financial Institutions said: "No committee hearings. I've made up my mind. The insurance companies"—he did not say this, but you could it read it in between the lines—"have made up their minds and they've written the lines. The insurance industry in Ontario has made up its mind that it wants this legislation passed." The minister said: "No committee hearings. Why should I, Murray Elston, listen to the people of Ontario. My ear, my umbilical cord is connected with the auto insurance industry. That's my lifeline."

That is where the donations come from. That is where the Liberal Party received over \$100,000 in campaign contributions in the last general election, and Lord knows how many hundreds of thousands of dollars, if not more, in third-party advertising by the auto insurance. Members remember that stuff, do they not?

The auto insurance industry wrote those ads, provided those funds. Did they write this motion also? Did they write the motion? It sounds like the type of language they use, it sounds like their style, it sounds like their approach to things.

Mr Morin-Strom: The Patricia Starr approach.

**Mr Kormos:** The Patti Starr approach: Do it as often as you can and do not keep any cancelled cheques.

Miss Martel: And try not to get caught.

**Mr Kormos:** Try not to get caught, and if you do, deny if or blame it on somebody else.

The Minister of Financial Institutions appeared one day in front of those committee hearings that we won. He appeared or the first day to unload his opening salvo and then he disappeared. He was long gone, never to be seen again.

The poor member for Guelph, a Liberal, the parliamentary assistant to the Minister of Financial Institutions, he was there He was there and I am sure with some great trepidation. I an sure he woke up in the morning and thought, "My goodness what is going to happen today?" The parliamentary assistan surely must have said: "What have I done to deserve this? wasn't involved with Patti Starr. Why am I being punished?"

That is what the member for Guelph must have said every morning when he woke up. He must have turned to his wife and said: "Honey, have we ever had any phone calls, any message from Patti Starr? I cannot believe I am being punished this way by David Peterson and Murray Elston. Why would they sem me out to get hammered when Murray Elston is off in the bunker away from all the flak?" One can speculate that the member for Guelph, the parliamentary assistant to the Minister of Financial Institutions, must have asked himself that.

What did he do wrong? Rick Ferraro is a nice guy. He treat his wife well. He treats his kids well. He is respected by hi family. He was respected by the people who live in Guelph unt he became so identified with this bad, bad legislation that the know is going to hurt drivers, taxpayers and innocent injure victims. Rick was forced into forsaking the people of Guelph but there are a few insurance companies located in Guelph that am sure are eternally thankful to Mr Ferraro, that appreciate—

The Acting Speaker: Order, please. I am hearing some unfortunate banter and I really do not want to hear it. Members know that you are not supposed to be imputing motives on either side. You are not supposed to be calling members by their first names; you call them by their ridings. Members know the rules of debate; would you please adhere to them? You would make my job so much simpler.

Mr Kormos: I appreciate the guidance and direction, and I welcome it.

Mr Haggerty: On a point of order, Mr Speaker: I apologize for calling the member Peter, it should be the member for Welland-Thorold, and I was just raising the question to him, where was he last spring when his seat was vacant for three or four days a week? Was he at the Ontario Automobile Insurance Board hearings?

The Acting Speaker: If I may, that is about as close to imputing motives to someone as you can get and get away with it. Please do not let me hear any more of that stuff.

**Mr Kormos:** First of all, I should tell you, Mr Speaker, that the member for—where is Ray Haggerty from?

Mr Haggerty Welland South, Erie and Niagara South.

Mr Kormos: I am looking at the lineup here, the living dead. The member for Niagara South has every right to call me Peter, because he is so old that he has known me ever since I was a youngster—

Mr Grandmaître: That's not too long ago.

Mr Kormos: —and that is quite a while now. So I do not mind the member for Niagara South, Ray, calling me Pete. It beats some of the things he called me when I was only this

I want to tell you, Mr Speaker, I appreciate the guidance and direction that the Chair provides me frequently. I have every intention of abiding by that direction. I may have to be reminded, and I do not mind that at all. I welcome your interjections, and I indeed look forward to them. On some of your rulings I cannot be so charitable in my comments, with respect, knowing full well that the Chair is the Chair, and be it right or wrong, it is the Chair.

We were talking about the difference between what happened in this short period of committee hearings and this even shorter period, if the Liberals had their way, of committee of the whole. We were talking about a minister who would not show up at the committee hearings. He would not show up to listen to the people, some of whom travelled great distances and went to great lengths and great expense to themselves, and difficulty, to nake their views known about this legislation. He was there for the first day, the opening salvo, and then every day after that it was the poor member for Guelph.

I am sure his wife does not call him that, and his wife surely in the morning said: "Rick, do you have to go again? The press is dumping all over you. Rick, you don't look like a mushroom. Why is Murray Elston treating you like a mushroom?" I will refer to him properly as the member for Guelph, but I am sure his wife does not call him that, I am sure his kids do not call him that, and the dog probably does not even come when called.

But it remains that the minister was hidden away in the bunker. It got to the point where at one point I speculated—it was pure speculation—that maybe the minister was so harmed politically by Bill 68 that he had gotten into the witness protec-

tion program and was being given a new identity, a new job, a new place to live, some nice little bungalow with a white picket fence in northern Ontario. With a new identity, he might be moderately palatable.

#### 1740

But lo and behold, he was there all the time, conveying the messages on occasion, I am sure, to his parliamentary assistant, declining phone calls from the parliamentary assistant. I can just hear it, "Oh, that—tell him I'm not in," because the last thing in the world the minister wanted to do was to hear more tales of woe that the parliamentary assistant reported on a daily basis about what happened during the course of the committee hearings. Because the parliamentary assistant was dead on; the Liberals got hammered. Every single submission, other than those which were from the insurance industry or its buddies, thoroughly condemned this legislation.

Somehow the Minister of Financial Institutions, whose wife probably calls him Murray Elston, was not there to hear it. He stayed as far away as possible.

But he was there on the first day. He was there to dump all over John Bates, the president of PRIDE, People to Reduce Impaired Driving Everywhere. He showed up the first day to unleash his opening salvo, to crap all over John Bates, who has about as much integrity—

The Acting Speaker: I am just going to intervene this one last time. There was, once upon a time, a member for Sudbury East who used language similar to that. You ain't him, so do not use it again.

**Mr Kormos:** Okay, Mr Speaker. I happen to have heard that member in private conversations, and let me tell you, "crap" ain't even close, but I hear what you are saying.

So he dumps, he unloads, he just unleashes—I cannot say "crap"—he just unloaded every bit of vehemence and nastiness against people like John Bates from PRIDE.

Ralph Nader, one of the leading consumer advocates in North America, in the world, who has taken on the big guys, has taken on Ford, General Motors, the chemical companies and the insurance companies in the United States, came up here, taking time out of his busy schedule, to tell us in Ontario, to say: "My goodness, we in the United States look to Ontario and look to Canada for progressive legislation. We look to Canadians for leadership in things like insurance, and now I see you following states like Michigan, New York and New Jersey. You have taken the bad, augmenting that and making it worse, creating a scenario that is unjust, unpalatable, unacceptable and dangerous, one that won't serve drivers, one that won't serve victims, one that won't serve taxpayers, one that will be just about perfect if you're an auto insurance company."

One day we were at the committee hearings, and this is what the minister was not able to participate in, because I suggested to the parliamentary assistant, the member for Guelph, that there was something wrong with this legislation. He said: "The legislation isn't perfect. We know that." I reflected and I realized: "No, member for Guelph, parliamentary assistant to the Minister of Financial Institutions, you're wrong again. This legislation is perfect if you are an auto insurance company. This is perfect legislation. What an incredible giveaway. You cash in all your green stamps and you get the biggest prize in the book."

This legislation permits the auto insurance industry to scoop some \$141 million, minimum, from taxpayers. It gives them

taxpayers' money, \$141 million, no questions asked, "Do with it as you wish."

This legislation permits the auto insurance industry to jack up, to increase drivers' premiums by as much as 50 per cent in the first year alone. That is what the Minister of Financial Institutions told the whole province, that people's insurance rates in Ontario will go up by as much as 50 per cent. That extra money is theirs to do with as they wish, no questions asked.

This legislation permits the Ontario automobile insurance industry to deny innocent injured victims just about \$823 million in compensation for pain and suffering, to deny them that, to not pay that to innocent injured victims when they would otherwise be entitled to it, and it protects those same auto insurance companies from ever being taken to court for refusing to pay that money out. That is the ultimate goal, that is the ultimate end of a threshold.

A threshold insurance system is not about letting injured people into a compensatory scheme; it is about keeping the vast majority of injured people out of a compensatory scheme. It is not about a door that lets people in; it is about a door and a fence and barbed wire that keeps people out. It is about a barrier. Denial of the right to use the courts is the penultimate protection for the auto insurance industry, because it means that the little person can never seek justice in a courtroom, can never call upon the power of a judge or a jury to help him, the little person, out when that little person is fighting a big auto insurance industry that is so wealthy and that is so powerful.

How wealthy? How powerful? Powerful enough to direct the hand of this government. Powerful enough to get what it wants from the Liberal Party in Ontario. Powerful enough to force the Liberal government to betray its promise that it had a specific plan to reduce auto insurance premiums. And wealthy enough? Of course wealthy enough. Wealthy enough to provide campaign contributions in excess of \$100,000 in 1987 and to provide third-party advertising in the hundreds and hundreds and hundreds of thousands, if not millions, of dollars.

I wish the Minister of Consumer and Commercial Relations were here earlier, because he is the guy who was up in North York talking about the ghost car. Well, the minister is the ghost, is the person who sort of wandered in here like a press conference past, and he is the one we were talking about just a few moments ago. I am sorry to talk in his absence, but we were not going to wait until he showed up. He is the one who participated in that chorus line, because he is the one who made the promise about the ghost car, the one that surely is a ghost car, because we have never seen or heard of it since. Nobody has. It was part of that big lineup of broken promises—sad, pathetic people.

I really do look forward to when the member for Sudbury East, whose father, the ex-member for Sudbury East, surely calls her Shelley Martel, gets to talk, because I can only talk a little bit about the Minister of Consumer and Commercial Relations. The only thing I have heard about him in terms of the function I have had, auto insurance critic, is about his ghost car, and a ghost car surely it is, but the member for Sudbury East will be able to talk about the auto insurance legislation and the so-called Ontario motorist protection plan. Some protection. A heck of a plan, though; I let members know that.

She will be able to talk about the ghost car, and she will be able to recall, when she talks about auto insurance and the ghost car and the so-called Ontario motorist protection plan and closure and shutting down democratic process, her experience with Bill 162. She will be able to talk about the fact that injured workers across Ontario told this government that its legislation

was dangerous, sad, bad, designed to hurt little people, designed to take from the worker and cost the worker more than it ever has before in terms of diminished benefits and greater cost. The member for Sudbury East will be able to reflect on the broken promises that this government made to workers in Ontario, and most specifically this government's attack, its assault, on injured workers.

#### 1750

We have the Ontario motorist protection plan. We have the Minister of Consumer and Commercial Relations with his ghost car. As I say, it is like Casper the Friendly Ghost; Casper has got to be driving this ghost car somewhere, wherever ghosts stay because we have not seen or heard from it since. We have not seen or heard any bravado from this government as to how effective this ghost car program was. Why? Because there is no ghost car, there is no program—there is another Libera promise; that is the penultimate oxymoron—it just don't exist.

Ghost car? Let's talk about the enforced highway patrol. Let's talk about the 100 new OPP officers who are going to patrol. Highways 401 and 427. That impression was clearly given. The north knows it can ill afford to have more OPF officers taken away from the small communities they are responsible for policing. The OPP know that full well itself. Bu we have not heard a single bit of chest thumping and bravade from these guys over here, these Liberal members, about how many new OPP officers have been hired to do highway patrol to do Highway Traffic Act enforcement on the 401 and on the 427.

We have not heard about a single new OPP officer. Tha was when the Solicitor General was part of this chorus line. He was there to make that particular promise. No new OPP of ficers, no significant increased enforcement of highway traffic legislation on 401 and 427 as a part of this OMPP. It just wanot there. If it had been, the promises about ghost cars, the promises about increased OPP coverage show a cynicism, be cause they were promises that were not meant to be kept, that i paralleled in the content of this particular motion.

We are talking here about a motion that is designed not jus to stifle but to smother and kill debate. We are talking about motion that is particularly repugnant to opposition member because opposition members, both from the official opposition and from the third party, are eager to talk about Bill 68 and to debate what it is really going to do to drivers and injured vic tims in Ontario.

I have some real understanding of why the Liberals would want to move this motion and, subject to their having heard the arguments that will be made in opposition to it, want it to pass Not too many Liberals are prepared to stand up and talk about Bill 68. They do not want there to be any more than one after noon available for third reading because the number of Libera backbenchers or frontbenchers who are prepared to talk about Bill 68 could be counted on one hand. Those are the ones where compelled to do it by virtue of their status as parliamentar assistants.

Where was the debate about the legislation in second reacing? There was a great deal of contribution from New Democrats, who had great concerns about the bill, who knew that it endangered the welfare of drivers, taxpayers and, sadle enough, innocent injured victims. Support from these folk i government? They did not stand up and support the legislation of course not. They have run from the legislation, just like the Minister of Financial Institutions has run from it and tried a hard as he can not to be identified with it.

Another reason for wanting closure, another reason for wanting to stifle debate is because the Minister of Financial Institutions can stay away from this issue when it is in committee, but he cannot stay away from the issue when it is in the House. It is in his interests, in his personal political interests, to have as brief a debate as possible about this legislation.

There are more than a few motives for wanting to move this motion of closure, this motion designed to smother debate, this motion designed to prevent and avoid debate, this motion that is so reflective of where the Liberals are at in Ontario in 1989-90, indeed in 1988 and 1987. If it were not for the NDP opposition and its demands in the period from 1985 to 1987, this government would be able to make no claims at all to ever having achieved any significant goals.

So we have no ghost car; we have no 100 OPP officers. Pretty pathetic so far. We have no attention whatsoever to what really causes costs. We have not heard a single word from these guys, the Liberals, about proposals to make cars safer, proposals to reduce repair costs to automobiles. We have not heard a single word from them about upgrading the standards required before a person can acquire a driver's licence.

That is why we are so sad to hear what the Minister of Financial Institutions said about John Bates, the president of People to Reduce Impaired Driving Everywhere, and one other who is notable. If the minister had been at the committee hearings he would have heard from Jock Shields from down London way, who is a long-time driving instructor and runs a driving school there. Not a single word from this government about making it tougher to get behind a wheel of a car.

Really, if you want to address the problem of accidents, accident frequency, injuries, property damage and damage to vehicles, you talk about training drivers better before you put them behind the wheels of 3,000- or 4,000-pound motor vehicles going as fast as they are capable of going. John Bates from PRIDE pleaded with the Liberals to start effecting some real changes in driver licensing.

We want to talk about that during the course of a debate and discussion during committee of the whole. This motion is designed to preclude and prevent any of that sort of discussion. John Bates, who provides leadership to people in communities across Ontario and beyond, has some very valid contributions that were made during the brief 30 minutes allocated to him; indeed, during the first 15 minutes that was allocated to him, the subsequent 15 minutes being left for questioning.

This government has not done anything about increasing the standards for people getting behind the wheel of a car, for requiring that drivers before they are granted licences complete a prescribed course of driver training, not just so that they can receive some benefits, but as a necessary prerequisite to operating a motor vehicle on any street, road, avenue or highway. That is only rational. The fact is that this government has not done anything about driver licensing rules that are basically the same as they were almost 40 years ago. Little was done in that regard.

During the course of committee we heard from, as I have said, parties making submissions for a whole lengthy period of time. These people were restricted to 30 minutes. One of the things that is important is how inadequate the whole committee series of hearings was. That, once again, is why it is so important that there be full debate both in committee of the whole and clause-by-clause consideration along with effective and thorough debate on third reading.

One of the many reasons why this motion is so completely inappropriate is that the committee, notwithstanding the urgings of the opposition participants in that committee, simply refused to work. The committee would not sit Monday mornings. That makes four days of sittings really three and a half, does it not? They refused to sit Monday mornings, notwithstanding that I urged them to. Of course, the argument was, "Some people have to travel to get to the committee."

But what committee members knew and what the public should know is that committee members are paid when the committee is sitting, when the House is not, for travel on a Sunday. It is remarkable that committee members could expect to be paid for travel on a Sunday, yet not expect to have to sit Monday mornings. So we really are not talking about four days of sitting a week; we are talking about three and a half days.

There were an incredible number of parties who wanted to make submissions, who wanted to make contributions during the committee process and were denied that opportunity because, as members should not forget, only an abbreviated period of time was allowed for those hearings in the first instance.

Another reason why this motion is so inappropriate and has to be defeated is because clause-by-clause in committee was only permitted for four days. The first day was a Monday, which meant only half a day. The committee refused to sit in the evenings, which was suggested to them by opposition members of that committee. Half a day on Monday, then Tuesday, Wednesday, and Thursday was a day of a snowstorm when the committee, wanting to be fair to those members who had to travel and drive and get from one place to the other or even use public transit, agreed that it would cut a couple of hours off its day to let those people who had problems about transportation get out of there.

So there was simply no way during the clause-by-clause consideration in committee that all of the bill was considered. We had to accelerate and, on agreement, jump a whole bunch of clauses and sections in the bill to get to the threshold. By that time there was, as I recall, some 30 minutes left for each party to discuss the threshold during clause-by-clause in the committee hearings.

The threshold is the very nub of what we are talking about here. It is what requires lengthy and thorough consideration in committee of the whole House and during third reading.

**The Acting Speaker:** Perhaps the member would care to move the adjournment of the debate.

The House adjourned at 1802.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L)
Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Beer, Hon Charles, Minister of Community and Social Services (York North L)

Black, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

**Bradley, Hon James J.,** Minister of the Environment (St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L) Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L) Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L)

Cleary, John C. (Cornwall L)
Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of

Colleges and Universities and Minister of Skills

Development (Renfrew North L) Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L) Cousens, W. Donald (Markham PC)

Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)

Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L) Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L)

Hampton, Howard (Rainy River NDP)

Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

**Kwinter, Hon Monte,** Minister of Industry, Trade and Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

(London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and

Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of

Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services

(Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation

(Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

#### **CONTENTS**

#### Tuesday 3 April 1990

Members' statements	Mr D. S. Cooke
	Mr Sweeney
<b>Court facilities</b>	Sports councils
Mr Kormos	Mr Harris
Developmentally disabled	Mr Black
Mrs Cunningham	<b>Taxation</b>
Riding of Cornwall	Mr Owen
Mr Cleary	Mr R. F. Nixon
Non-glare lighting	Environmental protection
Mr Wildman	Mr B. Rae
Social work	Mr Bradley
Mr Harris	Housing for the disabled
Scouting in Canada	Mrs Marland
Mr Pelissero	Mr Sweeney
Red Squirrel Road	Transit services
Mr Wildman	Ms Poole
Constitutional accord	Mr Wrye
Mr Eves	Child care
Markham Stouffville Hospital	Mr Allen
Mr Ballinger	Mr Beer
1711 Daninigor	Closing of campgrounds
Statements by the ministry	Mr Villeneuve
Statements by the ministry	Mr Black
Toronto waterfront development	Health cards
Mr Sweeney	Mr Chiarelli
Technological training	Mrs Caplan
Mr Conway	Occupational health and safety
Wil Collway	Miss Martel
Responses	Mr Phillips
Responses	Mr Phillips
· ·	Mr Phillips Petitions
Toronto waterfront development	· ·
Toronto waterfront development	Petitions
Toronto waterfront development	· ·
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development Mr B. Rae Technological training	Petitions   33
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development	Petitions   33
Toronto waterfront development Mr B. Rae Technological training	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance
Toronto waterfront development Mr B. Rae Technological training	Petitions  Automobile insurance
Toronto waterfront development	Petitions  Automobile insurance







11 90

11 90

## Legislative Assembly of Ontario

Second Session, 34th Parliament

## Assemblée législative de l'Ontario

Deuxième session, 34e législature

# Official Report of Debates (Hansard)

Wednesday 4 April 1990

### Journal des débats (Hansard)

Le mercredi 4 avril 1990



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of nembers of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may obtained by calling the Hansard Reporting Service inxing staff at (416) 965-2159.

#### Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

#### Wednesday 4 April 1990

The House met at 1330.

Prayers.

#### **MEMBERS' STATEMENTS**

#### SPORTS COUNCIL

Miss Martel: On 31 March the Ministry of Tourism and Recreation terminated provincial funding to the Northeastern Ontario Regional Sports Committee. For 16 years, this non-profit agency has been promoting and co-ordinating amateur sport in northeastern Ontario. With the end of provincial support, the committee also closed its doors on 31 March, as other funding sources were not secured.

In a 20 March letter to me, the minister admitted that a study commissioned by the ministry did recommend that the committee continue, but at arm's length from the ministry and with the aid of more volunteers from communities in northeastern Ontario. However, the ministry was not willing to discuss the matter further. The minister stated that he wished to use the funds to provide new sports initiatives in the north. He cited Sportability and the Ontario athletes assistance program as new, with continued funding for the national coaching certificate program.

Sportability was, in fact, piloted two to three years ago in northeastern Ontario and is designed for six- to nine-year-olds, with delivery in the school system. This physical education program, administered by a Toronto agency, should be funded by the Ministry of Education. The Ontario athletes assistance program offers \$500 per athlete per year for travel to competitions, but it is a duplicate of a program offered in northwestern Ontario. The national coaching certificate program is run by the sports council already but, with its demise, another sponsor is needed.

The ministry should have continued to fund the sports council until other sponsors were located. Now nothing fills the gap and there has been no indication that the ministry will create another agency to handle sports in northeastern Ontario.

#### **EDUCATION**

Mr Jackson: The nation has cast its eyes on the Ottawa-Carleton French-Language School Board because they recently fed baked worms to kindergarten students. This lesson was sanctioned by the Ministry of Education via its Circular 14 curriculum directive. Although some may wince at the thought, a diet of worms would be better than what this Liberal government has been feeding children and educators in this province.

Shake'n Bake Conway has a unique recipe of his own for education in Ontario. The recipe is as follows:

- 1. Take a world-class education system and commission a journalist to write that the system is running on empty.
- 2. With this needed justification for change, announce an assortment of new education programs without consulting anyone in the education community.
- 3. Advertise these programs in the Toronto Star to create public demand, but do not supply school boards with the money to pay for them.
- 4. Drop the level of provincial support to 40 per cent and accuse school boards of fiscal irresponsibility.

- 5. Demoralize the teaching profession by refusing to negotiate a fair pension deal.
- 6. Run an election campaign espousing lifelong learning, taking credit for visionary zeal, and then dump the costs on to local taxpayers.

If the members think this is a recipe for success, they are greatly mistaken. We will wait with bated breath for the results.

#### HOLLAND EQUIPMENT LTD

Mr Tatham: Did you ever try to ring the bell at the fair? We have a real bellringer being manufactured in Oxford by Holland Equipment Ltd. They export 70 per cent of their production to the United States and ship machines to Japan, Sweden and Australia. It is a tillage tool that (a) increases farm profits, (b) creates Canadian jobs, (c) controls farm erosion and (d) reduces runoff pollution.

It is called an Aer Way. In 1982, Holland sold 17 units. Last year their sales were up to 700 units. Presently, sales are running about 50 per cent ahead of forecast and they are working six days a week.

If you can make more farm profits and look after the land, I would say you ring the bell. Congratulations to Holland Equipment of Norwich.

By the way, the Earth's population is soaring faster than at any time in the history of mankind—up three people every second.

#### PLANT CLOSURE

Mr Mackenzie: Between the federal government's free trade sellout and dismantling of the Foreign Investment Review Agency and the refusal of the provincial Liberal government to deliver on promises to protect workers in plant closures, workers' jobs and hopes of developing high-tech industries are both going down the toilet.

The profitable Modular Controls firm in Burlington is being closed just two years after being purchased by Trinova Corp of the United States, and the equipment is being moved to the United States. Trinova gains a highly successful product developed here and more than 40 workers in Burlington, and probably another 30 in Etobicoke, lose their jobs. The American company offers a \$1,000 bonus to employees only if they stay until the plant closes in May.

Corporate rationalization and what is good for business is this government's creed. What is good for workers simply does not count. After all, what is a worker's job, or even a highly successful and profitable firm developing new technology and products, when it stands in the way of more profits for the corporations?

When it comes to a decision between what is good for workers and their communities or corporate profits, this government sold out to business early in its term. No wonder the workers are angry at the vultures gathering to move the equipment and jobs down to the United States.

1340

#### TIRE BURNING

Mr J. M. Johnson: I rise today to urge the government to support technology that could prevent another disaster like the

recent tire fire at Hagersville from ever occurring again. For over one year now, St Marys Cement Corp has requested permission from the Minister of the Environment to do a test burn of tires. While the Minister of Mines, the member for Quinte, recently indicated his interest in the project, as of today, St Marys has still not received approval from the Ministry of the Environment.

Burning tires is an alternative to the potentially hazardous practice of tire storage. As the Hagersville tire fire has demonstrated, storage can be dangerous and expensive. What is more, tire burning is a proven technology currently being used in the United States and Europe that saves on the cost of importing coal from the United States and is less detrimental to the environment than the burning of coal.

I ask the government to give this technology a chance. It is time to allow a test burn on tires and put the nightmare of another Hagersville behind us.

#### RALPH SNELGROVE

Mr Owen: One of the first people I heard of when I moved to Barrie in May 1959 was Ralph Snelgrove. He was a doer, someone who got things done, a man concerned about his community. Ralph Snelgrove founded the Barrie AM radio station CKBB in 1949. Six years later he founded the television station CKVR.

Ralph had a sense of humour which enabled him to put calamities into their proper light. For example, in the opening program of the Barrie radio station a horrendous lightning storm struck the community. They were no sooner on air than lightning knocked them out of commission. Ralph used to tell me that they started with a bang.

Ralph was born in Newfoundland. His roots taught him a way of communicating with people of all walks of life. He helped bring about many fine projects, such as the Barrie Lions Club pool and the YMCA. In the 1950s, Ralph served as a Barrie school trustee. When others were thinking of retirement, Ralph, well into his late 60s, served as a Barrie city alderman and twice carried the Liberal banner in federal elections.

Ralph has played a leading role in helping to raise \$12 million of the \$16 million required from the public for the new Barrie Royal Victoria Hospital. Ralph has been involved with Big Brothers, the food bank, the United Way and the chamber of commerce. His peers in the field of broadcasting honoured Ralph by making him a member of the Broadcast Hall of Fame. His wife, Val, and his family will sorely miss Ralph. However, his friends and those who benefited from his energy and compassion will also sorely miss him.

#### CONSERVATION OFFICERS

Mr Wildman: I am gratified that the conservation officers in this province have finally received the justice they deserve and have been reclassified to take into account their responsibilities as not only technicians but also peace officers who have a responsibility to protect not only the fish and game but also the population of the province and to ensure that the fish and game regulations, as well as the forestry and parks regulations, are properly enforced.

It is unfortunate, however, that the provincial government, the Ministry of Natural Resources and the Management Board of Cabinet had to be dragged kicking and screaming to recognizing the true worth of the conservation officers in this province. We now have the dispute resolved, a dispute that first came to the fore in 1985. It took five years of arbitration and negotiations before they won their fight. Would that the Minis-

try of Natural Resources and the provincial government in this province had recognized the worth of the conservation officers rather than having to be forced to recognize it, to reclassify them and to pay them up to \$38,000 retroactive pay.

#### TRANSIT SERVICES

Mr Cousens: Listen to this quotation: "Co-ordination of municipal and interregional transit systems, fare integration, commuter rail service upgrades and improvements to the TTC rapid transit network are among the highlights of the Ontario government's Transportation Directions for the Greater Toronto Area."

No, this is not a synopsis of tomorrow's scheduled press conference at Union Station by the Minister of Transportation concerning the transit development initiatives. In fact, it comes from a 24 May 1988 press release by the former minister outlining "immediate transit commitments and longer-term directions."

Tomorrow the Minister of Transportation will announce the construction of a Finch Avenue subway loop and an Eglinton Avenue busway, an expansion of GO Transit services and the purchase of Union Station. These immediate transit commitments were first outlined by the TTC in May 1985. The transit plans were conveniently reannounced in May 1988 by the ministry in a document entitled Transportation Directions for the Greater Toronto Area.

I would like to take this opportunity today to thank yesterday's minister for tomorrow's announcement.

#### **EVENTS IN LITHUANIA**

Mr Sola: For 50 years now Canada and the rest of the western world have been making pious statements regarding the illegality and their nonrecognition of the Soviet occupation of Lithuania and the Baltic states.

On 11 March, President Vytautas Landsbergis proclaimed the independence of Lithuania from Moscow's rule. What does this mean? It simply means that Mr Landsbergis made a de facto reality of our de jure pronouncements. How has Canada, the United States and the western world reacted? Have they afforded official recognition to Lithuania's independence? "This is not the time," is our response. Shades of Chamberlain and "peace in our time."

Are we saying that for 50 years we did not mean what we said, or do we mean that today we do not have the courage to back up our convictions? It seems to me that all the courage displayed today is in non-free countries such as Lithuania, Latvia, Estonia and the Ukraine. Perhaps "free world" should be redefined as "lacking in or absence of courage."

Like the Chinese student facing down the tanks in Tiananmen Square, they are confronting the Soviet tanks in Lithuania while we bury our heads in the sand. We must support Lithuania. We must force Gorbachev to the negotiating table. We cannot allow a repeat of the Chinese and Romanian scenarios. Canada and especially the United States must give official recognition to Lithuania.

#### STATEMENTS BY THE MINISTRY

#### SOCIAL SERVICES SERVICES SOCIAUX

Hon Mr Beer: Today I am announcing the release of an important study of this province's social services system. As the members are well aware, the government of Ontario is com-

mitted to improving that system, but we believe we cannot and should not act in isolation from our partners in managing, funding and planning services and programs for the people of Ontario

As members know, the Provincial-Municipal Social Services Review Committee was established three years ago. It was charged with the onerous but essential task of reviewing the roles and responsibilities of the provincial and municipal governments in the management, funding and planning of our social services.

The 11-member review committee comprised four senior representatives of the Association of Municipalities of Ontario, three from the Ontario Municipal Social Services Association and four from my ministry. The committee's mandate was to review the strengths and weaknesses of the existing relationships between the ministry and municipalities with respect to social services delivery and funding, to establish program and cost-sharing objectives and, most important, to propose options for a more rational framework for establishing roles and responsibilities.

The committee reviewed the social system through extensive research with representatives of the provincial and municipal governments, as well as people from the voluntary services sector. It is my pleasure to report to the house that the committee has completed its work.

#### 1350

Nous rendons donc public aujourd'hui le rapport du Comité d'examen des services sociaux provinciaux-municipaux, dont la tâche était d'examiner le rôle et la responsabilité des gouvernements provincial et municipaux en matière de gestion, de financement et de planification de nos services sociaux.

Le comité a étudié le système des services sociaux moyennant des recherches poussées, réalisées de concert avec des représentants des gouvernements provincial et municipaux et des personnes provenant du secteur des services bénévoles.

Ce rapport vient compléter les résultats d'autres études importantes, notamment ceux du Comité d'examen de l'aide sociale. Il s'avérerait, sans aucun doute, de grande valeur au fur et à mesure que nous procéderons à restructurer notre système de services sociaux.

This report complements the work of many other significant reviews, most notably the Social Assistance Review Committee. It will prove valuable as we move forward to reshape our social services system.

Over the next six months the Association of Municipalities of Ontario will consult with its members to examine the review's recommendations. I look forward to receiving their response as well as the views of community agencies and the voluntary services sector. I believe it is vital to have the benefit of these responses before taking any action on the committee's recommendations.

I am delighted that four members of the Provincial-Municipal Social Services Review Committee are in the House today. It is my pleasure to welcome and introduce them: Ron Book, mayor of the town of Grimsby, who co-chaired the committee; Nancy Smith, councillor and chairman of the social service committee of the regional municipality of Ottawa-Carleton; Phil Johnston, commissioner of social services for the regional municipality of Waterloo; and John Mac-Kinnon, administrator of social services for Huron county and a member of the Ontario Municipal Social Services Association.

I want to thank profoundly all the committee members for the contributions each of them has made to this important review. It offers a strategic tool to help us shape our social services system and meet the challenges we will face together in the future.

#### RESPONSES

#### SOCIAL SERVICES

Mr Allen: I rise to respond to the statement just made by the Minister of Community and Social Services. Perhaps my first remarks should be to pay my own tribute to the members of the committee, who laboured on this document. I think that any persons who give service to the province in trying to straighten out some of the jurisdictional and funding problems deserve tribute, regardless of the results that they produce, because it is no mean feat and no easy task to wrestle with some of the complexities of finance, jurisdiction and administration of complex social programs in this province.

Having said that, I want to indicate the couple of items in the report that do impress me positively. I think that certainly it is in the spirit of the Social Assistance Review Committee recommendations in so far as it is in some measure consistent with the proposals relating to the unification of the delivery of income support programs and, second, in so far as it is recommended that the province take over 100 per cent of the funding of children's services on the one hand, including, of course, administration of and responsibilities entirely for children's aid work in the province and 100 per cent of the funding devoted to income support programs in general. I believe that is a very healthy and wholesome development.

On the other hand, I see something of a retreat in going from 80-20 to 75-25. I am not sure how that will go down in the municipalities. I also observe that I think that one of the elements of the report that the minister should work with as quickly as possible is the proposal that there be an equalization mechanism, something that exists between federal and provincial governments, to see that the adequacy of resources of each community is balanced against its capacity to deliver services, so that no community or region is delivered less than average services at more than average cost. That, I think, is a valuable principle to extend into provincial social service administration and funding.

However, when I come to the administrative side of the document, and unless my fuller reading of this will betray something else to me, I find it curious that what was supposed to be an effort at producing a more rational structure for the delivery of social services does not appear to me to have clarified very much or to have reorganized or rationalized very much. I see a number of areas in which matters still await resolution; for example, cost-sharing of services, service planning and service supervision.

Evidently those delegated by the ministry to contribute to this report went with no particular directions, and the document that has resulted has no particular conclusion in those areas. If we are going to go through six months of consultation with the municipalities on the basis of a number of recommendations, for instance, that do not have any specific focus, where are we going to be in six months' time and how long will it be before we get a resolution of these problems?

Second, the whole jurisdictional administrative problem appears to be layered upon layer in a most confusing fashion. There is a great deal of discussion around extensive consultation on an ongoing basis, developing community plans that will consult everybody and his dog, including those involved in land use development. The ministry apparently is supposed to

review and respond to these, but it does not really say exactly where the buck stops, who makes the decision. Where in the last analysis are the hard decisions going to be made in the administration of this system?

The system has been getting out of hand over the years in terms of the devolution on to regional offices and now on to community-based agencies, which have been given more and more responsibilities. One hundred per cent funding is not going to help them; 100 per cent of what? That does not mean it is going to be adequate. It means that they themselves will be backed up on to community resources, as they have been in the past, if current funding patterns persist. We will be left in exactly the same position as we were.

As for a system that is more accessible, as the Thomson report proposed we should have for the users of the system, it sounds equally convoluted and equally as difficult of access as it was in the past.

Again, I will reserve my final judgement on a very careful reading which must follow, which I have not had time to totally do this morning, but on the basis of initial perusal of chapters and recommendations I have some major problems with what the minister has before him.

Mrs Cunningham: It is with pleasure that we look at the report of the Provincial-Municipal Social Services Review Committee, and I would like to take the opportunity, on behalf of the Progressive Conservative caucus, to recognize the expertise of the membership of that committee. The minister should be particularly pleased with that kind of input, and of course in the long term we are hoping that the recommendations will be taken very seriously and will be dealt with, with prompt action. The Association of Municipalities of Ontario has as its president Grant Hopcroft, who has kept me informed of the progress from time to time, and I have been particularly grateful for that kind of expertise as well.

I can say from the very beginning that what the minister has before him, as the committee members must recognize, is an extremely complicated document. As we take a look at recommendations around different responsibilities in cost-sharing, I am sure that there will have to be some tradeoffs made in the process, but I think the real concern of the municipalities, as they are involved in providing programs for family and children, is that they have some control over and responsibility for the administration of those programs, and at the same time that they decide where the real needs are and how much money they will be expected to spend.

I think that this document gives us a lot of insight into the problems and definitely some room for thought in the recommendations for very major change in both costing and responsibilities for program, and so I wish the minister and his staff the best as he tries to deal with this.

I would like to take this opportunity also to say very seriously that we all know that we began consultation in May 1987 on this responsibility of the province and the municipalities around the delivery of social services. We were blessed, I think, with a major review of the Social Assistance Review Committee that dovetails in.

We are waiting with some degree of anxiety for a new child care act and for the long-term care report of the minister. I hope that all of these things can happen very quickly, because I think the great criticism of the government would be that it has had wonderful advice, and here is an example of it, it has had great opportunity for input by some of the best people out there, as I describe, in the front line, and now it is the responsibility of the government to respond quickly. Six months is six months. My

recommendation would be to do it sooner, but that is not unusual for myself, because there are so many families and so many organizations right now in limbo and that have been for some amount of time.

At the same time, I will take this opportunity to say also that what prompted this review was a lack of communication with municipalities in the past around how programs were delivered and who should pay for them. This, I hope, is the beginning of a brand-new relationship with the municipalities and the agencies on behalf of the province of Ontario. I wish the minister the very best. I know he is in competent hands with the committee, and I expect a very speedy response to the 60 recommendations therein.

#### **VISITOR**

The Deputy Speaker: Before we proceed with oral questions, I would ask all members of the Legislative Assembly to recognize, in the Speaker's gallery, the Deputy Prime Minister of the Czechoslovak Socialist Republic, His Excellency Jan Carnogursky. Please join me in welcoming our guest.

1400

#### ORAL QUESTIONS

#### TEMAGAMI DISTRICT RESOURCES

Mr B. Rae: My question is to the Minister of Natural Resources concerning the statement the minister apparently made outside a cabinet meeting to a reporter. "I don't think there is any question in my mind that we are going to be proceeding with logging" is the quote attributed to the minister. The large headline, in case she has not seen it, reads, "Logging in Temagami Forest Will Go Ahead, Minister Says."

I want to ask the minister why the government has apparently decided to proceed with logging in Temagami when she knows perfectly well that there has been no settlement or agreement reached with the native community, the Teme-Augama Anishnabai, and when she knows full well that their appeal is now before the Supreme Court of Canada, leave to appeal having been granted by the Supreme Court of Canada. Why would she be taking this kind of action without any degree of protection for the rights of the native people, which rights are supposed to be important to the government and the people of Ontario?

Hon Mrs McLeod: I would of course recognize the fact that logging has been going on in the Temagami area for some 100 years now. I indicated to the media this morning that as Minister of Natural Resources, recognizing that the crown timber licences in the Temagami area expired at the end of March, I have been involved over recent months in a process of seeing that the ministry is preparing new timber management plans to be able to continue the logging operations in the Temagami area. I think all members of this House are aware, as is the public, that those timber management plans are in the development stage and that they do propose continuation of logging in the Temagami area. Those plans have been fully reviewed by the Temagami Advisory Council after extensive public consultation.

I also indicated to the media that it would be my intention, when the review of those plans is complete, to bring them before cabinet for consideration, but as Minister of Natural Resources my responsibility is to prepare the plans that would continue logging in the Temagami area.

Mr B. Rae: The plans put forward by the ministry allow for extensive clear-cutting in the Temagami area, which is directly contrary to the commitment we had from the Premier and from the minister. They permit extensive clear-cutting in so-called sensitive areas, in areas where land is so sensitive that there will never be regeneration. Only lichen will come back. No trees will come back in those areas. The minister is permitting clear-cutting in those areas. How can she justify proceeding on this kind of basis without a serious environmental assessment of what she has done and without any kind of agreement with the Teme-Augama Anishnabai band?

Hon Mrs McLeod: It becomes quite apparent that the honourable member, although he expresses considerable concern about the area, has not examined in detail the timber management plans which are being presented and which have been out for public consultation. I want to assure the honourable member that not only has there been extensive public consultation on those plans, but they have had a second review by the Temagami Advisory Council. The council, in order to ensure the independence of that review, employed two independent forestry consultants, who have also reviewed the plans.

I also want to assure the honourable member that there is a full recognition of the commitment the Premier made, which reflects the belief in the Ministry of Natural Resources that there must be full recognition of environmental values, including the protection of sensitive pine growth areas. He will find, if he looks at the timber management plan, that there is no clearcutting of white pine stands where it is predominantly white pine; that there is only cutting of shelter wood in those areas. I would remind the honourable member that, in addition, some 30 per cent of the pine is protected in 100,000 areas of park land and skyline reserve and that in fact the total number of timber management plans prepared for presentation to cabinet involve harvesting only some two per cent of the Temagami area forest.

Mr B. Rae: I am sure the minister knows full well and would recognize that the plans she has talked about have been changed even since they weren't for public consultation. So if she says I have not seen the final plans, she is quite right: I have not seen the final plans. However, we have had a look at the plans which the ministry put out for public consultation. Those plans allow for significant clear-cuts, far more than are wise in terms of the future of the forest. They provide insignificant recognition of old growth. They provide inadequate protection of skyline reserve. I can say to the minister that independent foresters who have studied the plans feel precisely as we do in terms of the protection in those three particular areas. But I want to come back to my central point to the minister: How can she, in all conscience, permit logging on this scale when there has yet to be an agreement with the band which claims the land in question?

Hon Mrs McLeod: It is unfortunate that an issue of this degree of complexity cannot be responded to in the fullness which it deserves, because the honourable member continues to raise questions about the judgement of the plans that are being brought forward by the Ministry of Natural Resources in spite of the fact that we have done our utmost to ensure there is not only full public consultation but independent review by a local advisory committee supported by two independent forestry consultants assisting in that review. I would be prepared to look at each of the concerns that have been raised and see how those concerns are addressed in the timber management plans.

But the other matter which the honourable member has referred to in each of his questions is the issue of how we can proceed with plans for harvesting when there is a concern on the part of the Teme-Augama band and a land claim issue before the courts. We are, of course, very cognizant of that and sensitive to the concerns of the Teme-Augama band. I would remind the honourable member and all members of this House that we are working in all forest management with what is a renewable resource and, managed well, it continues to be a renewable resource affording sustainable development. We have encouraged, and will continue to encourage, the Teme-Augama band to participate fully in planning for the management of that resource, including becoming involved with us in co-management through the Temagami Advisory Council.

#### RENT REGULATION

Mr D. S. Cooke: In the absence of the Premier and the absence of the Minister of Housing, I would like to ask a question of the Deputy Premier. Again, the question is about another set of buildings owned by NHD Developments Inc, or the Sorbara family. The two projects in question are 65 units on Red Cedarway in North York, which is facing a 25.47 per cent increase in rent this year, already approved by the government's rent review system, and 62 units at Flax Garden Way in North York, where they are going to get a 25.72 per cent increase in their rent, already approved by the government's rent review system.

The tenants of these town house units brought in an engineer to look at some of the work being done in these buildings under the capital works section of the minister's rent review legislation. How can the minister allow a rent review system that rewards landlords who have neglected their buildings for 17 years and then come in with massive capital projects to bring them up to grade, with the result that the tenants are facing these 25 per cent rent increases, which are unaffordable for many of the tenants in these buildings?

**Hon R. F. Nixon:** I will bring the honourable member's comments to the attention of the Minister of Housing.

1410

Mr D. S. Cooke: Perhaps he will do that, but it is his government and his cabinet that have to come to grips with this major problem. Perhaps he would like to bring this aspect to the minister's attention. Some of the tenants in these buildings, owned again by the Sorbara family, owe \$1,300 to \$1,500 in back rent. The position that the company is taking and the reason this back rent is owed is that it takes time to get through the ministry's rent review system. The position of the company is that they either pay up immediately or they are evicted. Is that an appropriate way, in the Deputy Premier's view, for landlords to deal with their tenants in this province?

**Hon R. F. Nixon:** The honourable member asked me whether I would like to bring that to the attention of the Minister of Housing. I am not sure it would give me any great pleasure, but I will.

Mr D. S. Cooke: The rent review system in this province is allowing landlords to take advantage of tenants in a massive way. The last Statistics Canada figures showed that 31 per cent of the tenants in Toronto are already paying over 30 per cent of their monthly income on rent. The minister's rent review legislation is increasing that problem considerably. At the same time, his government has destroyed or ended the co-op and nonprofit housing program in this province. Where are people like this

supposed to live if they are not going to get protection for their rents with the government's rent review legislation?

Hon R. F. Nixon: The honourable member has taken part in the discussions of recent budgets and well knows that the financing put before the House has provided more than 30,000 new and properly financed spaces on a rent-geared-to-income basis and for limited-dividend housing; that we in this government, since we took office five years ago, have allocated a larger increase in funding to housing than to any other single responsibility that rests under this government. The honourable member knows that even recent initiatives, including housing initiatives to the east of Toronto at Seaton and elsewhere, have been not only significant in their cost but clearly designed to alleviate housing problems that he describes. Frankly, in the last five years the situation has improved markedly, and I think the honourable member's fears are somewhat exaggerated.

#### HOSPITAL FINANCING

Mr Eves: I have a question of the Minister of Health. The minister will undoubtedly be aware of the announcement made by Toronto General Hospital that to balance its budget for this fiscal year it sees the necessity of closing another 96 beds in addition to the 154 it has already had to close to balance its budget. I was just wondering how this can be possible in light of what the minister and the Treasurer pronounced as a grandiose announcement of an 8.7 per cent increase in hospital funding on 29 November 1989.

Hon Mrs Caplan: Each year at this time, hospitals begin to develop their budget plans. There has been an allocation, as the member knows, of over half a billion dollars for the hospitals in this province. I know that there have been some concerns expressed, in light of the Wilson budget, that it would have an impact on hospitals. I am pleased to tell the member opposite that the commitment made by this government stands and that as hospitals develop their plans, they will see that hospital services will be maintained in this province.

Mr Eves: That response is almost sick. On 29 November 1989 it was pointed out by several members of this Legislature and the Ontario Hospital Association that hospitals required, if they are going to not only finance for inflation to provide a minimum level of care in this province but also cover provincial government self-imposed costs, such as pay equity, employers' health tax and increased workers' compensation payments, they need an absolute minimum increase of 11 per cent. The minister gave them 8.7 per cent. She has had over four months to contemplate that. What steps is she taking to make sure that this absolute minimum level which the Ontario Hospital Association says it needs to maintain minimum standards of health care in this province will be achieved?

Hon Mrs Caplan: I met with the OHA just last week and we discussed the fact that hospital funding formulas are in a state of transition and that in fact they are always, at the best of times, very complex.

There are a number of components of the hospital funding formula. One is the overall base increase. Then there is the component for growth, which acknowledges increased acuity in the hospital. A third component is the hospital incentive fund, which encourages hospitals to shift and realign services from those which can be provided on an inpatient basis to those on an outpatient basis. Another is the transitional formula funding for equity, which I am pleased to inform the member opposite is increasing from some \$25 million last year to \$40 million this

year, up 60 per cent. I can say that with all of these different components, we also include additional resources for life support.

As the hospitals develop their budget plans, I know they will work in co-operation with the ministry area teams so we can ensure that appropriate service levels are available to the people of this province.

Mr Eves: The hospitals have been trying to get their act together for the last four months, which is more than I can say for the minister.

In this submission that the Ontario Hospital Association made to the standing committee on finance and economic affairs in January of this year, the Ontario Hospital Association has pointed out again to this government that it needs at the very least an extra \$138 million this year to maintain hospital services at existing levels. By the OHA's submission, \$138 million is three per cent of combined hospital payrolls, or the equivalent of 3,900 full-time employees at hospitals. It is also the equivalent of 6,634 acute care patients who will not get care in this province this year if the minister does not react to what they have been telling her for over four months.

The time has come and gone. This is not an April fool's joke. On 1 April the minister should have had her act together. When is she going to get it together?

Hon Mrs Caplan: As always, the member is wrong. I can tell him that in light of the Wilson budget, there was some delay in the letter of transmittal. I explained that to the Ontario Hospital Association. They were very understanding. There was a lot of concern because of the cut in the federal transfer payment, but our commitment stands firm. In fact, we are hoping to have the letter of transmittal out to the hospitals this week as they begin their planning and budgetary cycle.

Mr Brandt: My question as well is to the Minister of Health. Sadly, when one cuts through all the rhetoric the minister just exchanged with my colleague, what has happened is that she is shrinking the hospital system and cutting back beds. The fact of the matter is that as a result of imposed costs which she has passed on to hospitals, not dissimilar to what we talked about in this House yesterday as it relates to children's services, with the employer health levy and pay equity there are very substantial additional costs that hospitals have absolutely no control over whatsoever. The minister made the decision; she passed on those costs. Could she tell us what the total amount to hospitals is for the employer health levy, as well as pay equity, and does she intend to fund those two additional responsibilities which she has imposed on the hospital system?

Hon Mrs Caplan: As the member opposite knows, the Treasurer announced an allocation for the hospitals that is very significant, some \$500 million. I want to assure him that no hospital budget will be cut. Every hospital will receive an increase. The funding formula, as I explained to his colleague, is a little complex. We are working on the kind of transitional funding formula that will restore equity and fairness and ensure that all hospitals are fairly and appropriately funded in this province.

Mr Brandt: The minister throws around figures like \$500 million and \$1 billion that are totally meaningless to people who cannot find a bed in a hospital. The reality is that the minister has closed down 2,000 hospital beds in this province. She made a promise for an increase of 4,400 hospital beds.

I said to the minister back in 1988 at the time she introduced some of these plans that pay equity alone, over a four- to five-year period, was going to cost the hospitals in this province

some \$115 million. I stand before her now and tell her that my original estimates were below what I anticipated they were going to be. Where is that \$115 million and more going to come from so that we can maintain the kind of hospital system and the kind of health system we had before 1985?

#### 1420

Hon Mrs Caplan: The leader of the third party could not be more incorrect in his assumptions. I would say to him that the ministry has not yet reviewed any of the budgetary plans that are being developed by the hospitals. His colleague mentioned the Toronto Hospital. In fact, there are encouraging signs that hospitals are providing services in alternative ways. We heard from the hospital, for example, that inpatient admissions are reduced and that there has been an increase in outpatient and ambulatory care. As more hospitals develop and strengthen ambulatory services to reflect the ministry's priorities, I think we can expect to see some realignment of resources from inpatient to outpatient care. What we are interested in is the delivery of appropriate services to the people of this province and in taking advantage of new technologies that allow those services to be provided in alternative ways, whether that is in the hospital, in a community setting, in an ambulatory centre or

Mr Brandt: It is interesting when you are in opposition and you raise these questions. I guess it is an easy charge to make that we are always wrong and our facts are out of place or we have not researched the question adequately. Let me tell the minister what the Ontario Hospital—

Hon Mr Scott: Notwithstanding your staff.

**Mr Brandt:** If I might speak over the interjections of the Attorney General, who has an opinion on every ministry in the entire government—

**Hon Mr Scott:** I have no opinion of any ministry, but I have an opinion of you.

**Mr Brandt:** He has a lot of opinions, and maybe he should keep some of them to himself.

I want to give the minister the opinion of the Ontario Hospital Association as it relates to this question. Tell them that they are wrong too. They say: "The inpatient hospital system is being deliberately downsized. The pressure will continue on hospitals to close beds and to reduce inpatient services." That is not me saying that. That is a direct quote as a result of the meeting that the minister had a week ago when she would not meet the commitments to fund some of the programs that she has shafted the hospitals with. What is she going to do about it?

**Hon Mrs Caplan:** I had a very positive meeting with the Ontario Hospital Association, which is working very closely with us in developing a new funding formula.

I would say to the member as well that we believe very strongly that in the adjustments of the new funding formula, the Ontario Hospital Association and all the hospitals will work closely with the area teams to ensure that we take advantage of the new technologies that allow us to provide services on an outpatient and ambulatory basis. We are seeing huge increases in those kinds of services across the province, and that is very appropriate. If the people of this province need to have services that are provided on an inpatient basis, those will be provided, but if those services can be provided on an outpatient or ambulatory basis or at a community independent health facility, for example, we can take advantage of that through the new act. As well, there are opportunities to provide services at home.

I will restate that the commitment of this government stands firm and that there will be over \$500 million available to the hospitals of this province in this fiscal year, bringing the total to over \$6.5 billion in funding for the hospitals of this province.

#### GOODS AND SERVICES TAX

**Mr Laughren:** I have a question for the Treasurer concerning some of his recent meanderings on the collection of the goods and services tax.

This morning the Globe and Mail reported: "The province is willing to assist the federal government by collecting the portion of the GST that would be levied at the point of retail sale, where the provincial tax is already imposed, Mr Nixon said."

The Financial Post on 27 March said: "Ontario will not help the federal government collect its proposed goods and services tax, Provincial Treasurer Robert Nixon said."

In the Toronto Star on 9 January the Treasurer said: "The Ontario government is willing to help collect some, but not all, of the federal goods and services tax."

The London Free Press on 8 January 1990 said: "Ontario still doesn't support the controversial goods and services tax but is willing to collect it from retailers for the federal government, Provincial Treasurer Robert Nixon says."

Could the Treasurer tell us which one of those positions he is leaning towards today?

Hon R. F. Nixon: They are all correct and, as the honourable member understood, they all say the same thing.

Mr Laughren: I can only ask the Treasurer once again if he agrees that both of these statements are correct: "Ontario will not help the federal government collect its proposed goods and services tax" and "The province is willing to assist the federal government by collecting the portion of the GST that would be levied at the point of retail sale."

The Treasurer is saying on one hand he is not going to help them collect it. On the other hand he is saying he is going to collect it. Would the Treasurer please tell us what he does intend to do and, given all these conflicting statements that the Treasurer makes, tell us why the public in Ontario should believe that he has no intention of expanding the retail sales tax base in the province?

Hon R. F. Nixon: Because I said so, I guess.

I will tell the member the answer is perfectly legitimate and logical. We said we would be glad to collect it at the point of sale, as we collect our own, and pass it on, but we have no intention of going out into the broader base of collecting services, like dry cleaning and haircuts. We are not going to do that. We are not interested in applying the value added intricacies that Mr Wilson is so fond of, but we would be prepared to collect it at the point of sale.

Mr Wildman: A little of this and a little of that.

Hon R. F. Nixon: Just a minute.

The federal government said, "Thanks a lot, but no thanks." Therefore, we are not collecting the tax. What could be clearer or more elementary?

Mr Jackson: I can hardly wait for an election, when we will get another version.

#### POST-SECONDARY EDUCATION FINANCING

Mr Jackson: My question is for the Minister of Colleges and Universities. Colleges and universities were allocated an

eight per cent increase in transfer payments, I believe back in November, but that was barely enough to cover the recent six per cent wage settlement for our community college workers and the government's new two per cent employer health tax. Nothing, quite frankly, is being left over to pay for pay equity, for inflation, for new equipment, instructional supplies, building maintenance and other operating costs.

Based on this transfer payment, colleges are forced to make difficult choices. They can either cut programs and jeopardize the quality and access to post-secondary education or they can run deficits. What is the minister prepared to do to address this situation of program cuts?

Hon Mr Conway: The honourable member's question covers a number of issues. Let me say that on the question of this government's support of the post-secondary sector, I think it is both true and fair to observe that in the period of time that it has been our responsibility to administer the affairs of the province, we have been very generous with both the colleges and the universities. To be sure, there is always more demand than there is supply of public dollars, but in the transfer announcements of last November I indicated an eight per cent increase to both colleges and universities, to say nothing of our support in areas like student assistance and on the capital account. I recognize that there continues to be more demand and more pressure. We will respond as best we can, but I think when one looks at what this administration has done, as compared to what a previous administration did or did not do, particularly on things like capital and on operating, I am not at all embarrassed by our record vis-à-vis the record of the honourable member's party.

Mr Jackson: The most generous thing from this government has been announcements; it has not been the actual funding. Yesterday's announcement of \$4 million was not covered by any major newspaper in this province, because they recognized it for what it was, a \$4-million emergency Band-Aid to community colleges—\$4 million, that was all that was given.

The Premier yesterday in the House said he was committed to technical education but, based on his level of commitment in Ontario, Humber College is cutting \$3 million worth of programs, particularly technical education courses; Fanshawe College is anticipating a \$3.5-million deficit; Mohawk College, a deficit of nearly \$1 million, and it has cut a major program and 41 staff position; Niagara College, nearly a \$1-million deficit.

It is obvious from the minister's answer that his government is committed to political announcements, but it is not committed to financing the best educational outcomes for post-secondary students in this province. My question is simply this: In order to ensure that our graduates remain competitive throughout the decade of the 1990s, that they are globally competitive, will this government provide target funding to ensure program protection for these vital technical education programs that are so vital to Ontario's future? Will the minister provide target funding to protect these programs?

#### 1430

Hon Mr Conway: Let me make two points. First, the government of Ontario in both its post-secondary and its secondary funding supports has encouraged a number of very creative and important new initiatives in the area, for example, of the honourable member's interest of technical education. I would not want to hold out yesterday's announcement as the alpha and the omega of our commitment, because clearly we have done a

lot more than just the fund that I mentioned yesterday. We are, as the honourable member for Burlington South might want to know, embarking upon a very substantial renewal of technological studies at the secondary area where our commitment is, I expect, in excess of some \$60 million on the capital account alone.

Mr Jackson: What you are saying is all Greek to me. You are the one who is bringing in the Greek alphabet, the alpha and the omega. Can't you be more specific?

Hon Mr Conway: I want to make one other point. If my friend from Burlington would stop barracking long enough to let me make this point, I would appreciate that parliamentary courtesy. I know he would want me to observe that under our system of management of the college sector, over the past five years our operating grants have increased by over \$240 million at a time when enrolments have been generally very stable.

I would also point out that we expect that boards of governors and management teams, whether they are at Humber College or Cambrian College or elsewhere, are going to manage. That is going to mean making decisions, making adjustments and, unlike the Tories who would have the colleges and the rest of the world sit for ever in a comfortable pew of the status quo, we as Liberals are much more dynamic. We anticipate and encourage change and reform, and we expect good managers at the colleges and elsewhere to do their duty and to ensure that those institutions change to meet emerging needs.

#### ONTARIO HOME OWNERSHIP SAVINGS PLAN

Ms Oddie Munro: My question is to the Minister of Revenue. Bill 105, dealing with amendments to the Ontario Home Ownership Savings Plan Act, 1988, is before the House for second reading. The amendments, which I support, respond to some of the difficulties the first-time purchaser has experienced in utilizing the plan.

I have been recently informed of a first-time home buyer in my riding who did not take advantage of the OHOSP and was therefore unable to apply for land transfer tax rebate. The purchased home was in the range of \$75,000 to \$135,000, and the buyer and his family clearly represent the typical first-time home purchaser in need of financial assistance as envisaged by the act.

Could the minister clarify the rules and specifically the timing which apply to the purchase of an OHOSP, the actual purchase of a home and the application for land transfer tax rebate for that first-time purchaser?

Hon Mr Mancini: I want to thank the member for the question. I am sure many members are interested in the Ontario home ownership savings plan. I think honourable members should know that this plan has already assisted over 24,000 Ontario residents. There are over 79,000 Ontario home ownership plans and accounts open so far. There have been proposed amendments, as my honourable colleague has mentioned, in Bill 105, which is before the House.

It is very clear that people with an annual income of less than \$40,000 and couples with a combined income of \$80,000 and less can qualify and can open up an account. All they have to do is visit their bank or a local trust company office. After purchasing their home, the planholders notify the institution and the necessary paperwork is done and the money is released. Also, this allows the people who have opened the plan to then receive a rebate on the land transfer tax. It is a very generous program indeed.

Ms Oddie Munro: That information is helpful to me and, I am sure, to potential first-time home buyers. As I understand it then, you purchase the OHOSP and, before the closing of the purchase, you must make application for the land transfer tax rebate. It seems to me that communication is important to the success of the plan, and access to the land tax rebate. I am wondering what the ministry's plan is to communicate the information and the procedures to the players, and who those players are.

Hon Mr Mancini: Of course, the matter obtains tremendous publicity during budget time when matters are announced by the Treasurer, as was the case. We also have a very extensive communications plan with banks and the institutions that we work with. We have also made available information to MPPs' constituency offices and, given the concern that the honourable member has about our communications plan, I will review the plan to decide whether or not it meets the needs of the Ontario population.

#### SOCIAL SERVICES

Mr Allen: I have a question for the Minister of Community and Social Services. I want to take him back to the provincial-municipal social services review. First, I want to say that I think the preparation of this plan and the recommendations in it are going to be a considerable disappointment to those who prepared the Transitions document and to the social service consumers who wanted a much simpler, much more straightforward system of administration, finance and delivery in the province.

The report proposes a number of recommendations, but there are riddled through them so many points of indecision; there are so many elements of consultation that still have to be pursued. There is a continued move in the direction of a municipal devolution and community-based service organizations as the providers of services. The fundamental question of this document that the Social Assistance Review Committee prepared has to be asked all over again: Under this scheme that is proposed, what is to prevent the same old problem of inconsistent delivery of social services across the province? That is what the province has suffered from so much in the past and that was the point of this document, to try to relieve that problem.

Hon Mr Beer: I want to underline again that the report is now out and will be consulted on extensively with AMO as well as with other groups. I would urge my honourable friend to perhaps hold up his judgement in terms of the recommendations and the kind of administrative structure that may flow from them.

I think it is important to underline that the group that came together from both the municipal and provincial sectors tried very hard to come up with something that it felt would simplify the system and make it one that would be more responsible in a fiscal way and in terms of who is delivering the particular services. They were aware of the SARC report, and certainly for us as a government there are a number of documents here that become very important and critical as we look at implementing the recommendations of this report.

I can say to my honourable friend that we are going to look very, very carefully at this report and at the recommendations that come in from our partners in the social services field before enacting specific changes. We certainly do not intend to make it more complex.

Mr Allen: As I look at what other provinces have done over the course of the last two decades in terms of the administration and funding of social services, they have almost universally, from Newfoundland to Quebec to British Columbia, adopted responsibility as provincial governments both for funding and delivery of services. Whether they were right or wrong, at least they made a decision; they bit the bullet. They have an integrated system and they know where the buck stops. As I look at this report, I really cannot yet get a sense of where the buck stops. Where is the buck going to stop if one follows the model that is proposed in this particular document?

Hon Mr Beer: Again I want to underline that, whatever the experience in other provinces or other jurisdictions, it has been the experience in Ontario to go forward in social services with a partnership, and that partnership has involved the province, the municipalities and the various community-based agencies.

My sense is that in the province itself there is a feeling that we want to continue with those partners but we want to make it more accountable and, indeed, we want to be able to see where the buck does stop. I think that is an integral part of the task that they had and, as we go forward with the discussions around the report, certainly at the end of the day we want to come up with something that is more accountable.

The province, and particularly this ministry, clearly has the major overall responsibility in terms of the development of social services. But we want to do that in conjunction with our partners.

1440

#### LIQUOR STORE HOURS

Mr Runciman: My question is for the Minister of Consumer and Commercial Relations. I am sure he is aware that the government-run liquor stores are contemplating severe cuts, something in the order of \$13 million. Rumours are circulating throughout the province that some of these cuts could impact on store hours in a variety of municipalities across the province. I wonder if the minister would give his views in respect to this particular proposal. Does he agree with the government-run monopoly restricting access for consumers?

Hon Mr Sorbara: Let me assure my friend the member for Leeds-Grenville that he would not like a system where the political view of store hours is the view that should prevail. What the Liquor Control Board of Ontario has been doing and will continue to do is to organize the merchandising of wine, spirits and beer right around the province under its monopoly in a way that responds to consumers' preferences.

For example, if a store is located in a shopping complex that is open from nine in the morning until nine in the evening, then the policy of the liquor board is to keep the store open during those hours. But if there are other areas where there is no business after six o'clock, then it is foolish, both in a business sense and in any other sense, to keep the store open.

What my friend the member for Leeds-Grenville should understand is that there has been a significant decrease over the past 10 years in levels of absolute consumption of alcohol. What the board is doing right now is simply responding to that decrease consistent with its obligation to market in an effective way consistent with consumer needs.

Mr Runciman: I do not think reducing store hours is adequately responding to consumer preferences. When we talk about decreases in sales, I think we have to look at the fact that

this government, in less than five years in office, has increased booze taxes by around 40 per cent, and that is having quite an impact on consumer preferences.

I want to talk about tourism. We had an announcement that US travel has declined by 5.2 per cent, and this is having an impact on that area as well. Has the minister assessed that? Talking about consumer access, I think there is an obligation upon the member as the minister responsible when he is talking about a government-run monopoly to ensure that all of these areas that could be impacted very negatively do not have this kind of access restricted. Is the minister prepared to take a position on that? I do not hear it from him today. Are these store hours going to be reduced? If they are, is he supporting that initiative?

Hon Mr Sorbara: My friend the member for Leeds-Grenville obviously does not have any position at all on anything, for goodness' sake. He stands up often in this House and complains about a variety of things associated with alcohol and then criticizes us for raising taxes and complains about the fact that consumption is down.

I want to tell him not to be so naïve as to be the victim of rumours about the reduction of store hours. It simply is not the case. It simply is silly for him to suggest that there is some overall strategy to reduce access. I invite him to go to one or two of our stores anywhere in the province and see that our stores have kept up while he has not kept up.

#### LAND REGISTRATION

Mr Tatham: My question is for the Minister of Consumer and Commercial Relations. Last fall the minister visited Oxford to see for himself the amazing potential of the province of Ontario land registration and information system, otherwise known as Polaris, a working model of which is up and running in Oxford. At that time the minister was new to the Consumer and Commercial Relations portfolio and to the concept of Polaris, but I believe it is safe to say that during his visit he was impressed with the potential of this 100 per cent Ontario homegrown technology. With that in mind, what has the minister done about encouraging the development of this technology in full and how long will it be before the people of this province will be able to access the information in Polaris on line?

Hon Mr Sorbara: The member for Oxford has kept up with the times; he does not even have to visit one of our liquor stores in order to do that, whereas that may not be the case with my friend who asked the previous question.

It is a very good question. My friend the member for Oxford has let the cat out of the bag. He was my tour guide, and I did have a marvellous tour of the advanced technologies that are now operating in the county of Woodstock. Of course we are talking about the Polaris technology, information-based technologies.

Interjections.

**Hon Mr Sorbara:** The Tories do not want to listen to this, and it is unfortunate. They have their heads buried in the sand.

The Deputy Speaker: Order, please.

Hon Mr Sorbara: In any event, my friend the member for Oxford gave me a delightful tour. I want to tell him that we are now in the very final stages of negotiations with the two consortia that submitted proposals to join in a strategic alliance with the government for the development of not only the Polaris system but a broader data utility that will revolutionize the

registration system in this province. If all goes well, I should have an announcement to be made on that within a month or so.

Mr Tatham: I appreciate that, but our technology has been functioning in Oxford for some time, and I think the minister can understand the interest of the people, particularly people like Liz Ottaway in the county office. They want to know exactly when we are going to have the technology in place. When does the minister anticipate that a province-wide system will be in operation? Furthermore, will the municipalities be guaranteed access to this system, or will it be strictly a provincial government matter?

Hon Mr Sorbara: There is a very long answer to the questions raised by my friend the member for Oxford. Let me try to summarize very briefly. First of all, some of those technologies are already being implemented by the ministry in the absence of having reached a strategic alliance with a private sector partner. For example, in North York we have almost completed the work of going from a paper-based registration system to a data-based, digitally based electronic system.

Once we have reached an agreement with a private sector partner, we think that we will speed up almost by a factor of 100 per cent the implementation of Polaris around the province, although it would be difficult to say with any certainty when a province-wide system will be in place. But if all goes well, we will be moving rapidly into that technology in the very near future.

#### **COURT FACILITIES**

Mr Kormos: I have a question for the Attorney General. The Niagara Falls provincial courthouse, as the Attorney General knows, was shut down by virtue of an order from the Ministry of Labour under the Occupational Health and Safety Act. That courthouse, although a satellite courthouse in the most technical sense, had courtrooms in it which held criminal matters and trials, remands, first appearances and pleas five days a week. Indeed, the docket for first appearances this Thursday, tomorrow, is some six pages long, approximately 100 accused persons. They are being expected to attend at the St Catharines courthouse.

Members of the bar are particularly concerned, and members of the public should be concerned, about possible loss of jurisdiction. The people in the community, members of the bar and persons involved in the court system in one way or another very much want to know what the Attorney General's plans are with respect to the Niagara Falls provincial courthouse.

Hon Mr Scott: I do not think the honourable member's constituents need concern themselves about loss of jurisdiction. There are in the Niagara area three courthouses that form a triangle, in Welland, St Catharines and Niagara Falls. They are hardly more than 20 miles apart. The work order instituted against the Niagara Falls courthouse by the Ministry of Labour has precluded the court from being used with respect to in-custody offences. The work is proceeding. I understand the Ministry of Government Services people who are in charge of the work met with the owners of the building yesterday. The work is proceeding and we hope that the cases can be conducted in this municipally owned facility as soon as possible.

Mr Kormos: The shutdown of that courthouse raises once again the need for improved courthouse facilities in Niagara South. The Attorney General knows that the city of Welland has gone to great lengths to prepare a proposal with respect to the old county courthouse to make it a facility that can accom-

modate all the offices and court buildings, as compared to being scattered throughout the city. The minister or his staff have seen those plans.

Surely the city of Welland, in fairness, should be told by the Attorney General whether he is going to accept that proposal or whether indeed he is looking at alternatives to the renovation of the district courthouse or the possibility of new facilities. The city, again in fairness, should be told what the Attorney General's plans are with respect to that facility, whether it is going to accept a renovated building or whether it is going to look for other land and where that land is going to be.

#### 1450

Hon Mr Scott: The honourable member of course represents his constituents in Welland well. There are people in Welland who think a courthouse should be expanded or a new one created there and the satellite court in Niagara Falls closed down so that the Welland project can be fed, and the honourable member signifies that this is his view.

I am not sure that is the right view. I think it is important that the people of Niagara Falls should, if at all possible, and it is possible, have courtroom facilities in their community, even if in that fashion we cannot advance fully the views of the people of the city of Welland who would like all the court facilities in their community so they could be taken out of Niagara Falls.

The view of this government is that both Welland and Niagara Falls are substantial, important communities and that there is a public obligation to provide court facilities in both communities. That we are doing. When the repairs that the Ministry of Government Services has undertaken are completed in this rental building owned by the city in Niagara Falls, court will continue there as usual.

#### ORILLIA SOLDIERS' MEMORIAL HOSPITAL

Mr McLean: My question is for the Minister of Health. Yesterday in the House the member for Durham-York gave a great statement with regard to the Markham Stouffville Hospital—the \$74 million in funding, with \$40 million plus from the province and \$7 million from the community. On 30 July 1987 the former minister came to Orillia and made a great announcement with regard to \$30 million for the Orillia Soldiers' Memorial Hospital there.

The minister has been signing a lot of letters there today, and I would like to know if one of those letters is for approval of that, or when does she think she would be able to satisfy the hospital board?

Hon Mrs Caplan: I recently announced a framework for capital planning that I believe will be of assistance to the hospitals and all the regions, the district health councils, as they move forward to look at meeting the needs of the people of the province.

There are a number of components of the capital framework. We will be supporting as a priority those that support innovative, alternative ways of providing services, shifting from inpatient to outpatient and ambulatory in line with the opportunities that new technologies permit. Infrastructure maintenance and renewal is a major priority in the province and we believe that can all be achieved within the existing operating budgets. We know as well that demographics are extremely important; so we are looking at rapid growth areas as well as ensuring appropriate services for our aging population, knowing they want to be independent for as long as possible.

The last component of the capital framework will ensure that we strengthen those areas of specialty care. The member is very aware of them. He knows that on a regional basis across the province all the district health councils and the hospitals are working very hard to bring their projects in line with the capital framework, and I am pleased to tell him that much work is ongoing.

Mr McLean: I have heard most of that answer before and I want to reaffirm the position from the community with regard to the \$6 million plus that has been raised there through the efforts of many organizations. The district health council and most of those agencies have agreed with what is taking place there and I think it is up to the minister to say to the community, "Yes, we will allow you to proceed." Why will she not allow them to proceed?

Hon Mrs Caplan: I have been really pleased with the amount of support we have had for the capital framework that was announced. In fact, right across this province district health councils and hospitals are working together in a partnership planning approach. The member knows that many of the plans across the province will be adjusted to see how they align with the new capital framework. I know that in Simcoe county the district health council and Ministry of Health officials are meeting to discuss the new capital planning framework and the implications for Simcoe county.

#### TEACHERS' LABOUR DISPUTE

Mr McGuigan: I have a question for the Minister of Education. From conversations I have had with the minister, I know he is aware of the teachers' strike in the secondary school panel of the Essex County Roman Catholic Separate School Board. I wonder if the minister would provide the House and the parents and students with a clear understanding of his position in this matter.

Hon Mr Conway: I appreciate the honourable member's question and his interest in the situation in his home county. I can assure him and the members of the House that I share his concern in bringing this dispute to a speedy resolution but, as I have said on previous occasions and I would repeat now, I believe very strongly in the collective bargaining process. I believe further that it is quite within the power of both parties to resolve this.

The Education Relations Commission monitors the situation. A mediator from the Education Relations Commission has been working with the parties. He was with the parties over the weekend. It is my understanding that some progress was made. The mediator stands by ready and willing to assist in any further way, and I am very confident that both parties working with the commission will accept their responsibilities and resolve this dispute very soon in the best interests of the students of Essex county.

Mr McGuigan: I share the minister's thoughts and hopes that this will be settled, but the parents and teachers are quite concerned. I wonder at what point the minister would be prepared to intervene in this strike.

Hon Mr Conway: One of the responsibilities that falls to the Education Relations Commission under Bill 100 is the determination of jeopardy. It is the responsibility of the commission and no one else to make a finding of when, in its considered opinion, the educational programs of the students involved in this kind of dispute are in jeopardy. To date the commission has not made any such finding of jeopardy.

#### **GASOLINE PRICES**

Mr Morin-Strom: I have a question for the Treasurer. The Treasurer is aware that many Ontario residents of border communities are regularly purchasing their gasoline in the United States. With gasoline prices now at record levels in communities such as Sault Ste Marie, gasoline sales revenues at local service stations have declined by 40 to 50 per cent over recent years.

Given that most of this price difference is due to the high gasoline taxes in the province, will the Treasurer be taking corrective action at least for border communities?

Hon R. F. Nixon: On 11 March the gasoline price in Sault Ste Marie, I am told, was 54.8 cents. In Ottawa it was 56 cents. At Earl's Shell Service it was 48.9 cents. Having said that, I would say that we are not contemplating any regional reduction in gasoline taxation.

Mr Morin-Strom: The minister's prices are a bit out of date, but even at that level they are at least 50 per cent higher than the price of gasoline in Sault Ste Marie, Michigan, in this example. The minister knows that in Quebec they have implemented a border program that includes buffer zones with phased-in gasoline tax levels that enable their gasoline stations to compete on a fair and equitable basis with those outside Quebec.

In Sault Ste Marie, considerable amounts of business have left Ontario and have gone to Michigan, with sales of other products as well, as a result of the difference in gasoline prices. Will the minister take some kind of action to ensure that we have some incentive to keep consumers in our own Ontario businesses?

Hon R. F. Nixon: I certainly sympathize with the problems that the honourable member's constituents have, particularly right on the border. It is difficult to persuade them, as I try to do when my friends talk about the gasoline prices in Buffalo, that if they want to drive from Buffalo to the state capital in Albany there is a toll on the road of about \$11, or if I warn them to be sure not to get sick over there and have to pay their own medical bills, because we have to support a wide variety of very progressive programs here that are paid for through public dollars.

Then the last I always say to them is that Mr Wilson, the Progressive Conservative Minister of Finance for Canada, extracts a larger tax per litre in Ontario than the province of Ontario does and he does not build a mile of road. He takes the money and uses it for God knows what, because his deficit this year went up by \$2 billion.

1500

#### MARMORA ARENA

Mr Pollock: I have a question for the Minister of Tourism and Recreation. The people of Marmora and area believed that an announcement for the funding for their new arena was going to take place around 1 April. They have heard nothing yet. When are they going to get that funding they are entitled to?

Hon Mr Black: I am aware of the fact that the member for Hastings-Peterborough has real concern about the welfare of his community and I know that he keeps in touch with all of his constituents. I know that he has been expressing within his riding the need for an arena in Marmora. I want him to know that when we get to the point where we are ready to approve all

of our capital expenditure, we will be making announcements about all of those across this province.

Mr Pollock: When?

Hon Mr Black: I am sure the member is aware of the fact that one has to go through the process of evaluating all the applications and ensuring that the applications this government funds are sound. We want to be sure that when we fund arenas there is a capability within the community to operate those arenas and provide sound programs. So when we have completed our determination we will make an announcement.

#### **PETITIONS**

#### AUTOMOBILE INSURANCE

Mr Pouliot: I have a petition signed by 2,262 people addressed to the Legislative Assembly of Ontario, and they are saying: "We do not want our rights to adequate automobile accident compensation taken away. We want the Ontario government to know that we oppose the proposed Ontario motorist protection plan."

Those people are from Thunder Bay. They are tired. They are fed up with being ripped off.

#### CAPITAL FUNDING FOR SCHOOLS

Mrs Marland: I have a petition to the Honourable the Lieutenant Governor of the province of Ontario. This petition is from the parents and students of St James School in Mississauga, a school in the Dufferin-Peel Roman Catholic Separate School Board.

The concern of the parents and children of this school is the lack of funding by the current Liberal government in terms of the older schools within the region of Peel. This petition is respectfully submitted, and the petitioners are hoping that as a result of the work they have done in collecting these names, once and for all the older schools that have been neglected, St James being an example, will have their problems remedied and they will have the kind of facilities that are now required under the Ministry of Education's mandated OSIS programs. At the moment this school cannot provide those programs because it simply does not have the facilities needed; for example, a gymnasium.

#### **AUTOMOBILE INSURANCE**

**Mr Wildman:** I have a petition signed by three residents of Ontario. It is quite lengthy, so under the new rules I will summarize. I will not read all the whereases.

The petition deals with Bill 68 and the government's insurance plan. It expresses the view that Bill 68 does not give effect to the Premier's "promise in 1987 that he had a very specific plan to reduce auto insurance premium rates," and points out that "once this legislation is passed...auto insurance premiums will climb by as much as 50 per cent, according to the Minister of Financial Institutions."

It goes on to point out that this legislation will provide enormous taxpayer subsidies to private corporations in the auto insurance industry, "costing the Ontario taxpayer at least \$141 million in the first year alone." It also points out that this "will create a billion-dollar payday for the auto insurance industry, at the expense of taxpayers, drivers, and innocent injured victims; these people will be forced to pay more and they will get less."

I think it is a most reasonable petition and I support it completely.

4 APRIL 1990

Mr Philip: I have a petition from the customers of Frank Bauco Auto Service on Albion Road in Rexdale. These are the same people who object to the \$90 licence plates for the greater Metropolitan Toronto area, but this petition is on a different topic. It says:

"To the Legislative Assembly of Ontario:

"Whereas the Peterson Liberal government has introduced auto insurance legislation (Bill 68) which is directly contrary to its own studies;

"Whereas this legislation will result in higher taxes to cover \$140 million handed back to the insurance companies by the Liberal government;

"Whereas the legislation will result in more accident victims being unable to claim for pain, suffering and other losses;

"Whereas this legislation will result in the innocent victim being treated no better than the negligent driver responsible for the injuries and removes the right for victims to seek compensation from negligent and dangerous drivers;

"We, the undersigned, petition the Legislature of Ontario to express to the Liberal government our great disapproval at its policies concerning automobile insurance and request that Bill 68 be withdrawn."

I have signed the petition.

#### CAPITAL FUNDING FOR SCHOOLS

Mrs Marland: I have a petition to His Honour the Lieutenant Governor and the government of Ontario, which reads as follows: "I am a parent of children who attend St Francis of Assisi school in Mississauga and wish to express my concern for the accommodation crisis we are presently facing in the Dufferin-Peel Roman Catholic Separate School Board.

"The additional costs the board must incur due to the insufficient provincial allocation of funds affects us all. In spite of inflation, our schools are operating with less disposable funding, largely due to bank financing charges and additional busing costs.

"Our students at St Francis could have more educational equipment should the school have more flexibility with their operating budget. Also, St Francis of Assisi is a 20-year-old school and could use some upgrades to bring it up to today's standards.

"I would respectfully suggest this board needs your immediate attention for our teachers to maintain their quality instruction. I do not expect a reply to my petition. However, I trust my comments will be reflected in the capital allocation given to the Dufferin-Peel Roman Catholic Separate School Board."

**The Deputy Speaker:** Before we proceed with the next petition, the Chair reminds members to make a résumé of the petition as opposed to reading it all, and I am sure all members will remember that from day to day.

#### **AUTOMOBILE INSURANCE**

Ms Bryden: I have the honour to present a petition to the Legislative Assembly of Ontario, and indirectly also to the Lieutenant Governor in Council. It is signed by six people from widely separated areas in the province, including Brampton, Toronto, my own riding and other people in Metro Toronto.

Briefly it says, "Bill 68 is legislation that makes tragic changes to the rights of innocent, injured motor vehicle accident victims." It also says further on that "this insurance legislation will deprive innocent injured victims of at least \$823 million in compensation that will be denied them." It says also that "this insurance legislation will create a billion-dollar

payday for the auto insurance industry, at the expense of taxpayers, drivers, and innocent injured victims; these people will be forced to pay more and they will get less."

There are more points in the petition, but they have been included in earlier petitions. I would like to submit this to the Legislative Assembly and I will sign it myself.

#### CAPITAL FUNDING FOR SCHOOLS

Mrs Marland: Mr Speaker, I am heeding your advice about not reading the content of the petition. I will tell you simply that this is an additional petition from St Francis of Assisi School in Mississauga. We have a large number of these letters as part of the petition from parents and children within that school community, and their concerns are very real and they hope to be heeded by the current government.

#### **AUTOMOBILE INSURANCE**

Mr Laughren: I have a petition which opposes Bill 68, the government's auto insurance bill. I will not read it. Basically, the petition says that the bill is a piece of junk and should not be proceeded with. I support that. It does not call for public auto insurance, which I wish it did. Nevertheless, it is very clearly in opposition to the government's bill.

#### 1510

**Mr Morin-Strom:** I have another petition with regard to the Ontario motorist protection plan, and it is addressed to the Legislative Assembly of the province of Ontario. I will not read all the whereases, but I will read the final point of it.

"We respectfully request that the Legislature consider substantial amendment of or complete rejection of the Ontario motorist protection plan as presently proposed. We further respectfully request that a plan be devised more nearly in accordance with the results of the independent studies undertaken at the request of the government."

This petition has been signed by 12 residents of the province of Ontario, and I have affixed my signature to it as well and hope that the government will take it into consideration.

Mr Mackenzie: I also have a petition signed by two residents of the city of Toronto objecting to Bill 68, and in summary I simply say they do not like the way it is being jammed through, they do not like the broken promise that it implies on the part of the government, they do not like the kind of payoff to the insurance industry.

It ends up by saying: "We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Peterson and his Liberal government end this sellout of taxpayers, drivers and victims and that they immediately withdraw Bill 68."

I have signed my name to it.

Mr Farnan: I have a petition that is addressed to the Legislative Assembly of Ontario, and it also refers to Bill 68. In keeping with your advice, Mr Speaker, I am going to try to condense this as much as possible, while maintaining the major points that are put forward within the petition. I would say to the members of the House that there is a series of good points that need to be referred to in the petition.

Without reading it word for word, the first point that is made is that Bill 68 is legislation that makes tragic changes to the rights of innocent injured motor vehicle accident victims. It goes on to say that the Peterson government has made it clear that it wants this legislation rammed through, and of course

based on the fact that we are looking at closure on this issues, they are absolutely correct. It further references the point that this particular legislation breaks the promise of the Premier during the 1987 election.

It goes on to say that the bill is in effect an enormous taxpayer subsidy to the private corporate auto insurance industry and that it in fact will cost the drivers of Ontario millions of dollars in increased premiums.

A further very important point that is raised in this petition is that the legislation will create a billion-dollar payday for the auto insurance industry. When they have taken all these facts together, they come to the conclusion—as you will agree, Mr Speaker, the obvious conclusion—that the Premier and the Liberals have refused to listen to the hundreds of submissions made to them calling upon them to abandon this bad legislation.

It is signed by two very concerned citizens of the province and I have added my name in total agreement.

The Deputy Speaker: The Chair appreciates the fact that the member went to great lengths to make it as short as possible, thank you.

Miss Martel: I too, as you will gather, have a petition addressed to the Legislative Assembly of Ontario. I will not read it all. It does say, as a matter of course, that this bill is so bad that it should be thrown out. I would add that you may want to toss the minister out the window with it, but that is not written here.

In any event, some of the points which I think have to be raised because they are so important are, first, that this government has made it very clear from the beginning that this legislation is going to be rammed through in spite of everything that we have heard at the public hearings, such as that this bill is so bad it should be withdrawn.

Second, the bill does nothing to respond to a very specific plan that the Premier of this province made when in Cambridge in 1987.

Mr Farnan: In Cambridge?

Miss Martel: In Cambridge, that is right, as my colleague says.

He made a specific plan that rates would be lowered, and there is nothing in this bill that does that. In fact, the Minister of Financial Institutions has already said the rates could increase as much as 50 per cent.

Third, the bill represents a huge payoff to the insurance industry in this province, \$1 billion alone in the first year that this bill goes into effect.

Finally, because of the huge payoff to the insurance industry, those injured innocent victims in this province who deserve compensation and should be getting it will not because of this minister and this bill put forward by this government.

The good people whom I represent in my riding and the good people who are petitioning here think the Premier and his Liberal government should end this sellout of taxpayers—which it is—the sellout of drivers and victims, and that they should immediately withdraw Bill 68.

I agree entirely and I have affixed my signature to it.

Mr Kormos: I have a petition and it is addressed to the Legislative Assembly of Ontario, and indeed I am going to abbreviate, summarize, shorten and basically present a précis of what the preamble states, because what this preamble and the petitioners state is that this is bad legislation, written for and by the auto insurance industry—a billion-dollar payday earned on the broken backs, broken legs, broken arms and fractured skulls of innocent injured victims.

Money is being taken from those innocents to pay off the insurance industry to the biggest billion-dollar payday that they have ever seen.

The Deputy Speaker: Thank you. This completes the allotted time for petitions. It has been brought to my attention, but it is also my own conclusion, that when members read petitions they abbreviate and do without comments. I am sure from now on members will remember those very precise standing orders.

#### REPORTS BY COMMITTEES

# STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Ms Oddie Munro from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr57, An Act respecting the city of North Bay;

Bill Pr61, An Act to incorporate the City of Chatham Foundation.

Your committee further recommends that the fees and the actual costs of printing at all stages and in the annual statutes be remitted under Bill Pr30, An Act respecting Regis College.

Motion agreed to.

## STANDING COMMITTEE ON FINANCE AND ECONOMIC AFFAIRS

Mr Mahoney from the standing committee on finance and economic affairs presented the committee's report on prebudget consultation 1990 and moved the adoption of its recommendations.

**The Deputy Speaker:** Does the member wish to make a brief statement?

Mr Wildman: Highlight recommendation 33.

Mr Mahoney: I have had a request to highlight certain recommendations of the report and I would invite the gentleman to the press conference in the media studio at four o'clock today. He can highlight it at that time, if he wishes.

I would like, however, to thank all members of the committee, from all three parties. I actually thought we were going to be close to a consensus this year, although we have minority reports. I would particularly like to thank our clerk, Lisa Freedman, and our two research officers, Anne Anderson and David Rampersad, for their dedication and their effort in compiling this report.

We heard from over 50 groups and individuals expressing concerns and asking us to take a message to the Treasurer in this report. I believe we have done that. Government spending restraint, no major tax increases and deficit reductions are the key themes that run through the report, but we have also addressed such very important issues as the extension of the Social Assistance Review Committee, which I am sure the members opposite would appreciate, and the extension of the Homes Now program, and we talked at great length about the problem of child poverty and the disabled functioning in our province.

I think it is a very comprehensive report. I would commend it to all members of this House for some very interesting bedtime reading.

#### 1520

The Deputy Speaker: Will the Chair move the adjournment of the debate?

Mr Wildman: Not until he highlights recommendation 33.

**Mr Mahoney:** I will highlight recommendation 33 at the press conference.

On motion by Mr Mahoney, the debate was adjourned.

#### ORDERS OF THE DAY

#### TIME ALLOCATION

(continued)

Resuming the adjourned debate on government notice of motion 30 on time allocation in relation to Bill 68, An Act to amend certain Acts respecting Insurance.

**The Deputy Speaker:** The member for Welland-Thorold may proceed.

Mr Kormos: I want to start out by thanking the Speaker's chair for all of its assistance during the course of my comments yesterday. I appreciate that there may be times when I appear not to be addressing the specific motion that is before the House. It is because, in my view, it is necessary to provide background, to flesh it out, if you will, so that a decision can be made on this motion in its whole context, because it is an important motion.

I want to tell you this as well, Mr Speaker. Any time I appear to be drifting away from the main issue, that is to say, the closure motion, the time allocation motion, I assure you it is not a purposeful attempt to deviate from the main course of what the conversation should be; it is not an attempt to make this longer than it has to be; it is not an attempt to obfuscate the issue at hand with other matters. It is a sincere and perhaps at times less than perfect attempt on my part to explain the issue that is before this House.

This House has an opportunity, of course, as it should, to vote on this motion when the matter comes to a vote. I expect that will be in due course, not too soon and not too late. I am confident that common sense will prevail. I know I spoke a little bit about this yesterday. I know it is sometimes difficult to even suppose that common sense would prevail here at Queen's Park, but I am confident that when this matter does come to a vote, perhaps next week, perhaps the week after, perhaps the week after that—that of course depends upon the eagerness of other members of the Legislature to discuss this issue-members of this House will oppose this motion and the mover of it will recognize that indeed if anybody has caused an inappropriate length of time to transpire before the real issue, the discussion of the bill in committee of the whole and the discussion of the bill during third reading, it was the mover of this motion.

The motion before us now is such a crucial issue, it warrants such thorough consideration and, as I say, when common sense rears its head in that unusual way here at Queen's Park and when the members of this House vote against this motion, vote against time allocation, the mover of this motion will have to reflect and acknowledge that indeed it was this motion that caused the delays, because it is this motion that is preventing us from getting down to the issue of talking about Bill 68.

We in the New Democratic Party have been eager to debate Bill 68 from day one. We made a significant contribution to that debate at the time of second reading. We were hamstrung, we were muzzled, we were confronted with time allocation during the course of committee hearings, those very same committee hearings that the Minister of Financial Institutions did not want to have because he wanted this legislation to be rammed through without public comment, without its being subjected to the scrutiny of people across Ontario and without permitting those people who were able to examine the legislation an opportunity to speak to a committee of this House.

Those committee hearings were so short, so abbreviated, they were not attended—honest, I know that it is hard to believe that the minister would not come to the committee hearings. I appreciate that it is hard to believe. If he had failed to come on one day or two days or three days, one could understand that things can come up. Even when you are a cabinet minister, things can come up. I appreciate that my saying that the Minister of Financial Institutions did not see fit to show up at those committee hearings is probably close to being unbelievable, but I say that the other people who were in and about those hearings—who, I suspect, are going to be speaking on this very time allocation motion—will indeed confirm this: The minister was not there.

It was not that he was in another room. It was not that he was en route and late. It was not that he had to leave early and could not stick around for the afternoon session. It is that he just was not there. This is the most significant bit of legislation to weave its way through this Legislature in a long time, and the minister just was not there.

That is why it becomes important and curious and worthy of some inquiry as to what the motive is for moving this motion. What is the motive for seeking time allocation, for seeking further restriction?

**Mr Farnan:** Bradley was not at Hagersville. Why would this guy be at the committee?

**Mr Kormos:** Well, hopefully he was not there before. He certainly was not there after.

Miss Martel: He should have been there before, shutting them down.

**Mr Kormos:** The Treasurer was there before. Somebody interjected about Hagersville, tire fires, massive tire fires, millions and millions of tires burning, people's lives destroyed. That really is a serious matter.

I do want the House to pay heed, with your indulgence, Mr Speaker, to what Beauchesne's Parliamentary Rules and Forms, sixth edition, publisher Carswell, 1989, says is an underlying, fundamental principle of parliamentary law. This is the starting point. This is where you start. When you reflect on each and every thing that happens here, it should be looked at initially in the light that this brief comment from Beauchesne's sheds on it. Page 3 of that same edition, the sixth edition, publisher Carswell, Beauchesne's Parliamentary Rules and Forms, published 1989—the very first paragraph in the text of that learned text states that the principles of Canadian parliamentary law are "to protect a minority and restrain the improvidence or tyranny of a majority." I repeat this because this is so significant to what we are doing when we are discussing this motion right now and to what we are going to have to do when, in due course, we vote on this motion.

We have to reflect on this motion, first, from that first principle. The purpose of Canadian parliamentary law has to be, necessarily, to protect a minority and restrain the improvidence or tyranny of a majority. This time allocation motion, this gag, this muzzle, this guillotine, is so specifically contrary to that very first fundamental principle, is it not? There is not a single member of this Legislature who with honesty or integrity or

virtue could stand up and suggest that this motion before us now is anything but the antithesis of something that protects a minority and restrains the improvidence or tyranny of a majority. They have a majority government here. We know that.

1530

Mr Farnan: What party are they?

Mr Kormos: My goodness, the Liberals. David Peterson's Liberals here in Ontario have an incredible majority, one that at first blush was impressive. We are talking about perhaps a few short days after 1987 when people in Ontario thought, for the briefest of moments, that maybe some of the promises they made were going to be kept, that maybe the influence of the New Democratic Party and its policies would continue to provide direction for the government as it did between 1985 and 1987, that maybe with that majority this government could make some substantial reforms.

This government talked—I was young at the time, but I remember it so well—in its campaigns about how the Conservatives had let things slide, deteriorate, in the areas of health, education and welfare. I specifically recall that, that the Liberals, when they were campaigning, were being critical of how the Conservatives, their predecessors in power, had let the areas of health, education and welfare decline and be eroded. The Liberals, David Peterson's Liberals, promised that was where commitment was going to be.

They got a majority and they are using this majority right now when they move this motion before this Legislature. Because their exercise of majority power in this instance is tyrannical, in the fullest and most proper sense, and tyrannical certainly in the sense as used by Beauchesne. That is the first principle of parliamentary law and one about which we have no hesitation in saying this motion has a great deal of conflict with. Indeed, this motion, as I say, is the antithesis of that first principle and cannot stand up to scrutiny when the light of that first principle is shed on it.

I know that if that first principle of parliamentary law did not make much of an impact on the members of the Liberal Party, the second one will. When it comes time for members of this Legislature, for the Liberals to vote on this motion, please, Mr Speaker, I beg of them, and I beg of you to remind them, when they vote on this motion to please recall what the second principle of Canadian parliamentary law is, as stated by Beauchesne in that same text, the 1989 edition, publisher Carswell.

The second principle that this motion must be seen in light of is "to secure the transaction of public business in an orderly manner." What is more public than a piece of legislation that is going to affect every single person, every single resident of Ontario in one way or another—Bill 68? Taxpayers are gouged to the tune of \$140 million to \$143 million the first year. Drivers are gouged with premium increases as high as 50 per cent. Compensation for pain and suffering and loss of enjoyment of life to innocent injured victims is reduced, to the tune of some \$823 million. What is more public than legislation that is going to hit hard on drivers, taxpayers and innocent injured victims? That is public business.

This motion encourages the disorderly approach to the transaction of this particular bit of public business, Bill 68. It encourages a disorderly approach when the Liberals, with their majority, would attempt to have something so important as Bill 68 discussed in less than six hours in committee of the whole, especially when committee of the whole is designed to deal with clause-by-clause and with amendments. The government

has got some 30 amendments. The Tories, the Conservative Party, the third party, have a whack of amendments. How can six hours be sufficient in which to—and this was mentioned before, I know—even present the amendments? It becomes literally impossible.

That encourages disorderliness. The motion before this House right now encourages disorderliness. It has already failed the first two principles expressed by Beauchesne. As I say, if blame is ultimately to be attached, it should be to the author and mover of this motion for holding the principles of parliamentary law in such great disregard, indeed for treating such long-time principles with such disdain. Perhaps that is the saddest thing about this whole discussion, the disdain that the Liberals have for parliamentary procedure, the disdain that the Liberals have for the public, the disdain that the Liberals have for open dialogue, because that is exactly what this motion is designed to stifle, to kill, to smother, to guillotine. That is what these motions colloquially are called.

The third principle expressed in Beauchesne—and, again, if principle 1 and principle 2 did not impress members of this Legislature when it comes time to mark their ballot, if you will, on this motion—I am sorry, Mr Speaker; if you want to follow along, I am sure the pages could secure a copy of Beauchesne for you. Please, if I am reading this incorrectly or if I am misenterpreting Beauchesne, let anybody here please say so in reply to my brief comments about this.

The third of the principles of Canadian parliamentary law principle that has to be recalled and has to be a guiding principle when considering this motion is—I say this with such great respect for this very institution—"To enable every member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time."

Now, I am a student of tradition and decorum. I have made it a practice to read some old books, read some new ones, to speak to people who have been around for a long time and had an opportunity to see the evolution in style and in tradition, and in my own very special way I am an adherent, a fan of decorum. It is because of that that I feel as strongly as I do about this motion. It is because of that respect for decorum that I consider it essential that this motion be defeated, because the limits that are spoken of are the limits necessary to preserve decorum. Quite right. What that means is that everybody cannot talk all at the same time. We are not asking that Bill 68 be discussed in the context of a free-for-all. Again, this goes back to the last principle that I spoke of, where we talked about the transaction of public business in an orderly manner. This motion encourages a disorderly transaction of Bill 68.

My goodness, I wish we had come up with some of these arguments when we were talking about a point of order. It might have made the Chair's task far easier to have been directed to these basic principles and to have looked at the closure motion, the time allocation motion before us, in that context. "To enable every member to express opinions"—that is precisely what this motion before us now does not do. It prevents every member from expressing his or her opinion, because it does not even allow enough time for the presentation of the amendments that are being proposed by the Liberals in the government and by the Conservatives as the third party, never mind any discussion of them. It does not permit any questioning of the minister. It does not even come close to permitting any questioning of the minister about what these amendments mean.

#### 1540

I have not yet been told by any member of the government, any of the Liberals, that any one of them is thoroughly familiar with all of this Bill 68, all of the amendments and the significance of the bill and of the amendments. One would think that the Liberal members would be as eager as we are to defeat this time allocation motion so that there could indeed be the opportunity for every member to express opinions within the limits necessary to preserve decorum and prevent an unnecessary waste of time.

That is the sad part. I am going to come back to Beauchesne, but that takes me to Erskine May because in Erskine May they talk about time allocation. The principle there is essentially the same one that ought to be utilized by this assembly in its vote on the motion before us. I should, for the record, indicate I am reading from Erskine May's Treatise on the Law, Privileges, Proceedings and Usage of Parliament, 21st Edition, 1989, published by Butterworths. I am reading from page 410 and I am directing the Speaker's attention to page 410, "An allocation of time order is not usually moved until after the second reading of a bill"—fair enough, no quarrel—"and usually not until the rate of progress in committee has provided an argument for its necessity."

That is the problem here. That is why if the people who are members in this assembly are going to responsibly perform their roles, they are going to vote against this motion, because now they are the judges. On a point of order the Speaker is the judge. It is like a trial with the judge alone. Now you are the judge, Mr Speaker, but this is the jury. Jurors have responsibilities, and the judge has the responsibility to make sure the jurors are properly equipped with the directions, with the rules, with the guiding light.

It is not a resolution. A support or denial of this motion is no longer in the Speaker's hands; it is in the hands of these 130 members. It is up to them to perform their task when they vote on this motion, responsibly, without a bias that comes from their partisan affiliation. They have to think of the best interests of the community. Because we are not talking about Bill 68; we are talking about the motion, are we not? We are talking about what this assembly does with the time allocation motion before it. We are talking about this assembly having a very important function now that the motion has been ruled in order and now that it goes to this assembly for a decision. That is why I read very briefly from Erskine May and cite Erskine May from page 410: "An allocation of time order is not usually moved until after the second reading of a bill, and usually not until the rate of progress in committee has provided an argument for its necessity."

That is such an important and basic principle that I have put a little asterisk beside it with my pen. I marked it with an asterisk.

Miss Martel: I hope that is not from the library.

**Mr Kormos:** It is a borrowed book. The opposition House leader will not mind, I am sure.

Interestingly, it is in Erskine May that time allocation orders are referred to as "guillotines," that you are—truncating?

Miss Martel: Cutting off at the knees.

**Mr Kormos:** In any event, you are destroying something. Something is being crushed. It is more than just oppressive.

Interjection.

Mr Kormos: Yes, it is. It is a life-draining act, it is a life-ending act, because the vitality of this assembly is dependent upon its ability to openly debate. And those are the rights that we talked about when we talked about Beauchesne and how it enunciated the principles of parliamentary law, and we are going to go back to that. Without that debate, there is no vitality, there is no life. You are creating a corpse out of what was once a lively body; not just a lively body, but a body that gave life to things that came before it and, nothwithstanding that it is April, an august body. But it loses some of its augustness, a whole lot of its augustness, when it has to concern itself fearfully—because I am fearful; I am as afraid as I have ever been. I am afraid that Liberal members will not listen carefully to the arguments about this motion. I am afraid that Liberal members will not listen carefully to the principles contained in Erskine May and in Beauchesne and will not even try to understand why those principles are expressed there.

Let's go back to Beauchesne, because we talked about the principles of parliamentary law, the fundamentals, "to give abundant opportunity for the consideration of every measure, and to prevent any legislative action being taken upon sudden impulse." I read that, telling members that is the final enunciated fundamental of Canadian parliamentary law in Beauchesne, and the one that is really most valuable to us in our considerations of this time allocation motion. "To give abundant opportunity": Abundant does not mean a little bit. Abundant means a lot. Abundant means certainly as much as is necessary.

Miss Martel: And more.

Mr Kormos: And more for good measure, to err on the side of caution. Because when you are talking about democracy, when you are talking about a free society, a society wherein there are freedoms, a society wherein people resolve differences in—here I go again; I am almost drawn to a discussion of Bill 68 itself as compared to the motion that is before us because I am talking about the motion and I am talking about how it denies recourse to the parliamentary procedure as a means of settling differences and how important that is in a civilized society, in a free society and one where physical might does not prevail but reason and fairness and logic should prevail.

Perhaps I realize, then, that that comment becomes trite when one realizes that that is what Bill 68 is all about, because it is about taking people's right to use a courtroom to settle differences and to have the power of the state back them up when they are right. That is so important, because otherwise they are dealing—really, it does fit in.

Just as we in the opposition, if this motion is permitted to pass, will be thoroughly frustrated in performing our job as we are intent to perform it, just as we will be frustrated in that because we will not be able to use this forum to protect the little people, imagine, then, how the innocent injured victims of motor vehicle accidents will feel when they are told that they cannot use the courts to fight off wealthy, powerful insurance companies who would prey on them, very much as this government would prey on people and prey on minorities. That is what this motion is all about. It is a predatory act. It is a predatory suggestion.

Just as a government, the Liberals, would use their power, their might in terms of numbers—and my goodness, it is only in terms of numbers—to prey on a minority, to stifle, to crush the life, to destroy, to eliminate an opposition, then too will insurance companies prey on victims, prey on drivers and, with

the help of this government, prey on taxpayers, and they will not have any recourse either.

#### 1550

So I say that this motion is a very important one. This motion violates every one of the principles spoken of as being a fundamental principle of Canadian parliamentary law in Beauchesne. It contradicts everything—everything—that is spoken of in Erskine May as being a necessary prerequisite to consideration of time allocation.

We should—and I do this with a purpose of citing, so that members who are not here will have an opportunity to read Hansard, in view of the fact that I am sure not many of them have Erskine May in their personal libraries, and if they do, it could well not be an up-to-date one. So I cite Erskine May, as I did earlier, at page 410, where it talked, appropriately, about an allocation of time order "not moved until the rate of progress in committee has provided an argument for its necessity."

On pages 408 and 409, comment is made about "resort...to the most drastic method of curtailing debate known to procedure"—the most drastic measure. What that implies and certainly suggests to me, and I would think to other people, is that the most drastic measure has to be used for the most drastic circumstances, and there is nothing about these circumstances that illustrate that it is drastic.

That is not to say that we in the opposition, the New Democrats, are opposed to the principle of time allocation—of course not. Why, we have supported time allocation motions.

We supported it when it was introduced by the government when this House was dealing with Bill 94, the bill to ban extrabilling. It was the New Democratic Party's position at the time, and I suggest to you an appropriate position, that to not bring in time allocation in those circumstances, to end a filibuster that was occurring in the Legislature, was to give a mixed message to the people of the province, and specifically to the doctors.

What happened then—and members know full well that I was not an elected member then—was that the House, the Legislature, the province, was in the midst of a medical and health care crisis. By not ending the debate on Bill 94, there was an encouragement of the strike by doctors across the province.

In that instance there had been lengthy, lengthy—remember the committee hearings on that? They were basically open-ended. Anybody who wanted to come and speak could. That is not the case here. This government fitted its muzzle on the opposition when it would only permit very limited committee hearings; and debate in committee of the whole consideration in that instance, with Bill 94, as members well know, was lengthy and thorough and considerable.

I should mention, if only by way of anecdote, that there were more than a few doctors and medical personnel who appeared at the standing committee on general government hearings to condemn this legislation. Many had not paid close enough attention to the procedure to realize that it was the Minister of Financial Institutions who was trying to impose it on the people of Ontario, and when they looked at the name that accompanied the title, they could not believe it. They said, "Oh, no, not again." They had been done in once and now they were seeing themselves virtually as being done in twice by the same actor.

Anyway, back to the fact that we have in the past, and in that instance we did, because in that instance the circumstances satisfied all of the criteria that are laid out as necessary prerequisites to the passage of a time allocation motion. Here they do

not; they are far from it. That is why it is important that this motion be opposed.

Fair-minded people, people who care about democracy, people who care about debate, people who care about honest, open exchange, would endorse a debate that was healthy and vital. People who have no interest in democracy, people who would prefer jackboot politics, would propose time allocation.

The problem with that mentality is that it is out of style in eastern Europe. Dictatorships all over the world are being sent packing. These dictatorships are ones that have time allocation motions every day. They stifle their oppositions at every drop of the hat. Sadly, it looks like it is becoming a pattern with this government too.

Every once in a while I wear this little button that says, "Liberals are Tories too." I wore it during the auto insurance committee hearings, because I was pretty confident that the Minister of Financial Institutions was going to Mike Wilson more than a couple of parts of Bill 68, and indeed he did. Just as Mike Wilson dropped it from nine down to seven to try to make it a little more palatable, sure enough, Murray Elston, when the—the Minister of Financial Institutions; I bet the Speaker was just about ready to remind me that we are not supposed to refer to people by their Christian names and surnames, and I will try very hard not to do it again. But there was the Minister of Financial Institutions Mike Wilsoning the auto insurance legislation, tinkering with it, raising—remember what it was, raising those wage-replacement maximums, because they were maximums, from \$450 a week to \$600 a week?

This is where it is so essential that we have thorough debate and why this motion not be passed, because we had reminded the Minister of Financial Institutions, the Mike Wilson of Queen's Park, time and time again that \$450 was grossly inadequate. It was not something that he dreamed of or thought of or acquired during the course of committee hearings; we have been telling him that from day one about this, and a whole lot of other things too.

What was the second thing where there was tinkering, where there was a little bit of Mike Wilsoning with this act? It was in the maximum payout on long-term care.

**Mr Charlton:** Monthly payout.

Mr Kormos: That is right. Initially it had been stated as maximum payout of \$1,500 a month. Oh, you could get up to a half a million dollars. Just a minute; we will talk about that in just a second and illustrate why it is so important to discuss this in a full debate and in a clause-by-clause consideration, because this government, the Liberals, Peterson's Liberals, talked about long-term care—mind you, a maximum of \$500,000, and paid out at a maximum rate of \$1,500 a month.

Again, from day one it was pointed out to them: "You are going to force people into institutions. You are going to force people into Dickens-like poorhouses; 50 bucks a day doesn't buy you much long-term care."

#### 1600

So the Mike Wilson of Queen's Park, the Minister of Financial Institutions, played with some of the numbers, trying to make it more palatable, and increased the maximum payout to \$3,000 a month. They did not change the \$500,000. But if you think about it for just a minute, \$3,000 is even a rather paltry sum, and that is why that warrants and calls for and cries out for clause-by-clause consideration, lengthy, thorough, complete clause-by-clause consideration; \$3,000 a month, again, still

does not pay for anything fancy, no two ways about it, but it is still a maximum of \$500,000.

Do you know what happens to the 18-year-old under the Minister of Financial Institutions' insurance scheme? Before that 18-year-old is really very old at all, the well is dry, the tap is turned off. There is no more care, never mind long-term care.

What an inappropriate thing to call it, long-term care, when in fact it is not long-term care, it is only the briefest of care, because what we know and what we learned and what the minister would have found out if he had bothered to come to these committee hearings is that if you are in long-term care for a year or two, you probably are not getting out of it. If you are not rehabilitated within a couple of years, you are going to be spending the rest of your life in it.

What this legislation does is cut it off, and it plays around with figures just enough to make them at first glance appear—not attractive—handsome, let's say. But then, with more than a brief examination, one realizes how impoverished the legislation really is.

As I say, the button that I wore was white on blue, "Liberals are Tories too." The behaviour of the Minister of Financial Institutions and how he tinkered with some of the numbers illustrates that. And that button is going to become more prominent, because this government's behaviour with closure, with time allocation, tells us that yes, Liberals are Tories too. You do not know who is teaching who the tricks. Is Brian Mulroney teaching the Premier the tricks or is the Premier—the Premier of Ontario—teaching Brian Mulroney tricks?

Holy cow. People on Parliament Hill are fearful, just as I am, about the tendency of that federal government to impose closure, to stifle debate, to use jackboot tactics. Yet that same trend has been developing right here at Queen's Park in the province of Ontario with these Liberals sitting with their arrogant, supercilious majority. So that makes you fearful. It makes you fearful about the destiny of parliamentary institutions.

This government now treats time allocation motions as routine. They do not even bother to generate a pretence of rationale for the time allocation motion. They lickety-split just throw the cuffs on and drag them away.

I have not been through all of this building. I guess what I am most fearful of is that there might be dungeons somewhere here, because I suppose that if this Legislature lets the Liberals get away with this motion, the next step will be, "Don't just silence the opposition, lock them up as well." This government surely cannot be envious of the reputations and the image that other dictatorships across the world have acquired by virtue of the same course of action.

Miss Martel: On a point of order, Mr Speaker: My math is not very good, but it does not seem to me that we have a quorum in the House at this point in time.

The Acting Speaker (Mr Cureatz): I am more than flattered to ask whether there is a quorum.

The Acting Speaker ordered the bells rung.

#### 1606

The Acting Speaker: I would like to advise all members and anyone who is watching that a quorum is present, so we will continue now with the debate of the member for Welland-Thorold on the reason why we should or should not have this time allocation motion before us. Is that correct?

Mr Kormos: What we were just talking about was the little button that I wear that says, "Liberals are Tories too." They have each picked up the other's bad habits. They have each picked up the other's worst habits: regressive taxing, a bad habit that they share with each other; time allocation, stifling the opposition, a real bad habit that they share with each other.

They are doing their very best. I can hear the chains rattling, because I think—

Mr Haggerty: Not locking you up, are they?

Mr Kormos: If the member had been here, he would have been able to share with us our fear that that is the next step, the next stage. First you silence them and then you—this time allocation motion could result in we in the opposition showing up here and just finding that the desks and the chairs are gone. There are Liberals who have dreams about that, and there are more than a few insurance company executives who have similarly fantasized, but it just ain't going to be that way. We are not going to let that happen without a fight, and we are not going to let that happen without appealing to the decency of Liberal members, to the intelligence of Liberal members—

Interjection.

Mr Kormos: No, give credit where credit is due. —the decency and intelligence, the sense of fair play, integrity, a virtue that surely can be found somewhere among the Liberal caucus. We appeal to those qualities—I suppose it must be said, if they exist among Liberal members. We appeal to those qualities to lure those persons away from the heavy hand of their own leader and to a state of mind where they can use that sense of decency, use that intelligence, use the integrity and use the virtue that they have managed to muster up to vote against this legislation, to vote against the time allocation motion.

Why would any fairminded person want to avoid a debate? For the life of me, I cannot understand why the Liberals were not even participating to any great extent in the second reading debate. To speculate, suppose that there were more than a few members who were embarrassed about the legislation and did not want to be associated with it, that there were more than a few Liberals who recognized that if their ridings, their constituents, identified them as being supportive of the bill, they were going to lose votes in the next general election. They might have considered that a possibility back there in second reading. They know it is the truth now; they know the inevitability of that. The price is going to be paid for this sellout and, more important, for the sellout of democracy that is inherent in this time allocation motion.

#### 1610

Yesterday, members might recall, I opened by identifying something of the history of this bill and how that was significant to consider in the context of this time allocation motion. I do want to say something. If I ever appear to be discussing anything that is not relevant to the time allocation motion, perhaps we could deem it to be relevant to the time allocation motion because, after all, deeming is what this stuff is all about. Let's not forget what happened. The sad thing is that our job in the opposition is to remind people what happened, and we have every intention of doing that. Their job is to ingest more soporifics and let dreams of fantasies prevail rather than the reality of what happened.

Five days in second reading. The people across Ontario have got to understand that when we talk about five days, we are talking about five afternoons, two and a half hours perhaps

in each afternoon. Five afternoons for 130 people to engage in a debate about a bit of legislation that was the most significant legislation to come across their desks in a long, long time is not very much time at all. As a matter of fact, that is a very modest, limited period of time. Five days, five afternoons, was a very short period of time.

We recognize that it was important to get the bill from second reading on into committee. Murray Elston—I appreciate that I cannot call him that, can I? Can I tell you some of the other things I have called him, Mr Speaker? The Minister of Financial Institutions—I am sure his friends and family call him Murray Elston—did not want this bill to go to committee. He did not want a committee to examine this auto insurance legislation. We are talking still about the Minister of Financial Institutions now. He talked about how this whole insurance business had been debated and debated and researched.

Indeed, it was at great cost to the taxpayer. Threshold insurance, which is what Bill 68 is all about, was considered by Mr Justice Osborne, and Mr Justice Osborne said: "No, it is a bad approach. It is not going to lower premiums, it is not going to reduce litigation and it is going to hurt innocent injured victims. It is going to deprive innocent injured victims of compensation for pain and suffering, compensation that in any fairminded community, in any fairminded society would rightly be theirs." Osborne told the government that.

So the minister was partly right when he said the matter had been discussed and analysed. It was discussed and analysed and the net result, the recommendation, was, "No, it is the wrong direction to go in." Threshold insurance, which is what Bill 68 is all about, is going to be a bad law.

The government of Peterson's Liberals was obviously prepared to have another kick at the can. Threshold insurance is very specifically an American system. You know that, Mr Speaker, but some of the members of the Legislature do not know it. If they read Osborne, they would discover that. If they read Kruger and the Ontario Automobile Insurance Board's report on threshold insurance, they would know that. If they read the New York Times once in a while, they would see how states like New Jersey are abandoning threshold insurance because it simply does not work to reduce premiums, and the hardships, the cruel penalties it imposes upon victims, make it unbearable for those American jurisdictions who adopted it and who have been tinkering with it and playing with it for some period of time.

It was those American jurisdictions that the Minister of Financial Institutions, David Peterson's cabinet minister—

Interjection.

Mr Kormos: Is he still the Premier? Okay, the Premier of Ontario.

It was on his instructions that the Minister of Financial Institutions was calling upon American jurisdictions for threshold systems, so I say the second kick of the can. Let's run it past John Kruger and the Ontario Automobile Insurance Board. The board during the course of 1989 looked at three American models, three threshold models. Interestingly, all three of those models were less rigorous than the threshold system that the minister is trying to ram through this Legislature.

John Kruger and the Ontario Automobile Insurance Board recommended against adopting a threshold model. Strangely, but understandably in hindsight, the government was conducting its own secret study all along. The government was spend-

ing almost a third of a million dollars of taxpayers' money on secret actuarial studies that were paralleling Kruger's inquiry. It was a secret study, a clandestine study, a surreptitious study. You can live with something that is clandestine and secret, but once it becomes surreptitious, it becomes really objectionable, does it not, Mr Speaker?

So here we go with a secret study, and what it was doing was costing Bill 68. Before the Ontario Automobile Insurance Board had even made its recommendations about threshold insurance, this government knew all along and was prepared to take the chance on the board: either it will or it will not. It was a 50-50 proposition. It is like flipping a coin: it is either going to be heads or tails, one or the other.

If they had to dump on the Ontario Automobile Insurance Board, indeed they would one more time, because do not forget, this government had to run from that same board, after 13 February 1989. Remember 13 February 1989? I took the liberty of calling it the St Valentine's Day massacre, because it was 13 February but it would appear in the papers the next day on the 14th. That was the one where the government wanted to generate premium increases, anywhere up to, heck, 75 per cent increases for drivers in Ontario.

Do you want to know something, Mr Speaker? The government ran from that because the outcry was so strong and so loud. I will bet you money right now that the premium increases that are going to be generated by Bill 68 will be in line with those same atrocious premium increases that came from the Ontario Automobile Insurance Board on the date that I called the St Valentine's Day massacre, back on 13 February 1989. Just watch.

What is important is that there be an exposure of that insincerity on the part of the government when it conducted its secret study. When I think back to some of the modest claims that we made about this bill, about its impact on people in Ontario, the Tories and the New Democrats were shocked, because our best estimates were that it would cost innocent victims maybe as much as \$500 million in the first year. Our best estimates of the impact of this Bill 68 on innocent injured victims were that it would cost them as much as \$500 million.

#### 1620

It was only when we forced those secret studies out of the government's filing cabinets that we learned that the government had conducted its studies and found that—\$500 million? Are we kidding?—it was going to cost innocent injured victims \$823 million in the first year alone. The government knew that all along because it had these actuarial studies that it kept secret, for good reason, from its very partisan point of view.

What a cruel thing to do to the Ontario Automobile Insurance Board and its chairman. What a slap in the face to John Kruger. What an indignity to a person who perceives himself as a pure bureaucrat—not in any negative sense, but a person who perceives himself as a pure civil servant, a pure bureaucrat—to have known all along that the government did not give a tinker's damn about what the Ontario Automobile Insurance Board said because it had its own agenda all along. All there was was the pretence of democracy.

That is what time allocation is all about. It is about saying the words but when one checks it against reality, the passage of this motion will be the death knell for democracy at Queen's Park. Again, I do not want that ever to have to be tested because it is incumbent on members of this assembly—I see we have some new faces here. I want to mention to these folks who came to listen to me a little bit about Beauchesne.

4 APRIL 1990

What I am referring to, so that people can refer to their own copies if they wish, is Beauchesne's Parliamentary Rules and Forms, sixth edition, published by Carswell in 1989. Beauchesne talks about the principles of parliamentary law. If you want to follow along with me, Mr Speaker, I am sure one of the pages can get it for you from the Clerk's table.

What we are talking about here is something so fundamental, yet sadly—

The Acting Speaker: What page?

**Mr Kormos:** Page 3. We are starting right at the beginning.

The Acting Speaker: Are we going to read the whole thing?

Mr Kormos: No, we do not have to read the whole book. That would be an abuse of the floor and the Speaker would rightly interrupt me and say: "No, you are not here to filibuster. You are not here to stand there and read books. You are here to make argument." Indeed I acknowledge that.

Let's take a look at what Beauchesne says in the very first paragraph. Why I am reading this and why I am making reference to these is because for each and every one of these Liberal members who has not been made aware of what the fundamental principles of parliamentary law are, now is the time. Let's take a look at this time allocation motion in the context of those fundamental principles.

"The principles of Canadian parliamentary law are:

"1. To protect a minority and restrain the improvidence or tyranny of a majority."

Need I go any further? That in itself would persuade any literate member of this government. I know, Mr Speaker, you look askance at them, seeing which ones packed along their Crayolas and which ones did not, but let's be kind. "To protect the minority and restrain the improvidence or tyranny of a majority." How can any member of this Legislature, knowing that is a fundamental principle, not vote against this time allocation motion? That is exactly what this time allocation does. It denies protection to the minority and it generates the tyranny of the majority.

Let's take a look at the second principle: "To secure the transaction of public business in an orderly manner." We have read that before. I realize that is exactly what this time allocation motion does. It encourages disorderliness. This time allocation motion, telling 130 members that they are only going to have two afternoons to review, clause by clause, one of the most extensive bits of legislation to come across this Legislature in a long time, is going to generate disorderliness. All hell is going to break loose in here if only two afternoons are permitted for clause-by-clause consideration. It will generate disorderliness.

That is the height of irresponsibility on the part of these Liberals. They have over 30 amendments they want to present. Nothing substantial, just cleanup. This bill was so hastily drafted. This came up time and time again in the committee hearings. Time and time again, we would find these horrid, big, wide openings that you could drive a transport truck through. We would find these incredible drafting errors. That is no criticism of the hard-working people who had to put this stuff together. Let's face it, the orders in themselves were perverse and bizarre. So we found a whole bunch of just dumb mistakes, the kind you make when you stay up too late at night and try to write something out.

The Acting Speaker: I am sure I am totally out of order and the Clerk's table will bring that to my attention some time in the next week or two. I have been following Beauchesne very closely actually and I would just be interested in your comments on time allocation. As you very well put it, in section I that same paragraph continues on to say that part of the parliamentary process is to prevent a waste of time. Could you enlighten me?

Mr Kormos: Exactly, Mr Speaker. You talk about wasting time. We just wasted 30 seconds, did we not? But I appreciate that your heart is in the right place. You recognize that I am the newest member of the Legislature and I may not be familiar with some of the rules and procedures.

Interjection.

**Mr Kormos:** Honest, we are going to get to that. The member can bet his boots we are, because that is among the most important of considerations that has to be made.

Mr Haggerty: Meanwhile moving along.

Mr Kormos: Where we were. Let's not jump ahead, because then we are going to lose the flow. The nice thing about Beauchesne is that it has flow. It is very readable. It is just a fascinating sort of thing to sit back, read, discuss at the dinner table. If you have children, you want them to be exposed to it at the earliest opportunity.

Okay, "in an orderly manner," a basic fundamental rule. Everybody here knows that the effect of this time allocation motion will be to create disorder, to create anarchy. The Liberals are Tories too and now they are anarchists as well. That is a fearful proposition.

Let's look at the third proposition in Beauchesne, and the people who are here should listen carefully: "To enable every member to express opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time." Need I say more?

This time allocation motion is creating a waste of time because that is the one we are having to fight tooth and nail to prevent it from being passed. Just watch. If those Liberals do not let their consciences prevail, if indeed Liberals vote for this time allocation motion, they will have realized that we will have spent three weeks or more discussing time allocation, because it is such an essential consideration, because it drives right to the heart of everything we are doing here, yet their motion gives us two afternoons to discuss the 30 amendments that the Liberals propose to the bill, and then another 20 or so that the Progressive Conservative Party wants to make to the legislation. Surely there is something bizarre and insane about that.

#### 1630

The other question then is, do two afternoons in committee of the whole House permit an opportunity, as Beauchesne says, for every member to express opinions? Does it? Of course it does not. That is what the time allocation motion is all about. It is to prevent members from expressing opinions. It is to prevent people from performing their roles as spokespeople for their constituents. That is why—

**Mr Neumann:** On a point of order, Mr Speaker: I have been listening very carefully and it seems to me the member is addressing not the substance of the motion, but the point of order already dealt with by the Speaker yesterday.

**The Acting Speaker:** Would the member like to respond?

Mr Kormos: I would respond if it warranted—that was dumb. Maybe I am going too quickly and maybe I should start a little more fundamentally instead of getting into Beauchesne and Erskine May.

The Acting Speaker: You could sort of, as you have been well doing, address your remarks from time to time to the time allocation motion. I have to confess that I have been listening very attentively and I am sure you will continue to do so.

Mr Kormos: Not bad for a young fellow from Welland-Thorold, right? I have been doing my very best, I tell you.

What happened yesterday—whether individuals agree or disagree with the ruling made by the Chair, you live with it, you accept that. What happened yesterday was that a point of order was raised. The House leader for the official opposition stood up and said:

"Mr Speaker, I would like to raise a point of order on this motion. The point of order will be dealing with standing orders 1(a) and 1(b) and 45, and it is the position that we will be taking as a caucus that notice of motion 30"—it is this one—"is out of order. These types of points of order have been raised in the past. I think there are new and additional points to consider on this motion. It is also the first time that a closure motion has been brought in since the new rules have gone into effect a year ago."

That was the point of order that was raised. We all know what standing orders 1(a) and 1(b) and 45 talk about. It is not difficult stuff.

The House leader for the Conservative Party spoke to it. The House leader for the government, for the Liberals, spoke to it. Of course he was somewhat irate that anybody would have the audacity to raise a point of order, but that is our job.

Eventually the Speaker made his ruling. The Speaker had this to say: He told us that he had listened carefully to the arguments made. He told us that the motion was printed in Orders and Notices and that there had been some preliminary investigation, because what a point of order does—this I understand—is it objects to basically the prima facie motion, and that is to say whether the motion in itself is not in order.

A whole bunch of arguments, strong arguments, were made to the Speaker in support of the proposition that this motion was not in order. The Speaker said, "No, the motion is in order." That is that. When you were here a little while ago, Mr Speaker, in a different persona, I told you, in that other persona, very respectfully that this is sort of—you might find this interesting because of what you used to do for a living—like riding a bicycle or any other number of things where you never really forget how to do it. You do not get any better at it; you just do not forget how to do it. On a point of order the Speaker is sort of like a judge sitting all alone. He decides one way or the other. But on a motion such as we are arguing now, the Speaker does not decide that, does he? The people of this assembly decide it, kind of like the jury.

The Acting Speaker: Unless it is a tie.

Mr Kormos: Unless it is a tie, and with an odd number there cannot be a tie. So what I am doing—it is difficult because there is a turnover in here. Sometimes I look up and I say: "My, that body was not there before. What happened to the body that used to be there?" They are switching bodies on me and I cannot quite remember when body A left and body B came in. So wait a minute; it is not fair to body A to only pick up half the argument because we are dealing with important stuff—

Interjection.

Mr Kormos: That is right.

Interjection.

Mr Kormos: Is this a hoax? Are people taking this seriously, that some Liberal would raise a point of order and not be paying attention because he is sitting beside the Minister of Health? Did you not know that, Mr Speaker? He is sitting beside the Minister of Health and he would not pay attention, so I am trying to help him understand. I cannot send my Erskine May over to him, nor my Beauchesne, because they are not mine. I borrowed them. Mine are at my home in Welland. I spend many an evening with the music on low reading my Erskine May.

The Acting Speaker: What edition?

**Mr Kormos:** This is the 21st. Mine is the 20th, which is why I am pleased to have been able to borrow these and refer to them.

We are not talking about a point of order any more. We are talking about the reason why people should be opposing this time allocation motion. The reason people should be opposing it is because it is unparliamentary. That is not to say you cannot put it before the Legislature. That is what the Speaker decided yesterday, did he not? It is not out of order to put it, but it certainly would be unparliamentary to pass it. It is not undemocratic to put the motion before the House, but it certainly would be undemocratic to vote for it. It is not a betrayal of the people of Ontario to move the motion, but it would be a betrayal of the people of Ontario if the people in this Legislative Assembly were to pass it.

That type of betrayal you can only pull off once. There is a general election coming and again this government's attitude—lord knows, they wish they simply never had to call elections any more but that is well beyond their control, just as they wish the opposition would clam up and not fight for what is right but that cannot happen. The opposition is going to keep on fighting for what is right and doing the right thing and taking the right position, taking the correct position, taking the fair position taking the position—I tell members, that we have nothing to do with the big corporate automobile insurance companies. There are no two ways about it.

There is not a single member of the official opposition who would be able to, with honesty, talk about his close ties with the corporate auto insurance industry.

1640

An hon member: We ruled against corporate contributions.

Mr Kormos: In terms of taking money from them my friend mentions that we have rules, we have standards.

We are not here arguing on behalf of the rights and interest of the insurance industry. There are no two ways about it. Unapologetically, we are not here arguing on behalf of the interest of the insurance industry. We are arguing on behalf of the interest of drivers, taxpayers and innocent injured victims, the one who are going to be hurt worst and in the cruelest way by this legislation.

I suppose the saddest thing is that our enthusiasm to resist this bad legislation has never been greater because we know about the innocent injured victims and how it is going to hunthem. We know about taxpayers and how it is going to goug them. We know about drivers and how the premium increase are going to be as high as 50 per cent. Our enthusiasm to resist

this legislation has never been stronger, never been greater, never been more lively.

Now we see a Liberal majority under the guidance of their leader. The member for London Centre is calling the shots still—there are no two ways about it—as he gets—well, he is the Premier; we are talking about the same person. He is calling the shots as he gets told to call them, no two ways about it, by the sort of people the Liberals represent, the sort of interests they represent. I tell members that we are not ashamed to come here and tell them that we do not act for big corporate insurance companies. Quite frankly, we are not afraid to point the finger and call it the way it is, and when we see big corporate insurance companies gouging little people we get mad and make no apologies about that.

We do not take money. Do members want to know something? They do not offer it to us. They do not offer us money for good reason, because they know we are not their spokesperson. They know we do not have their big, wealthy, powerful corporate interests at heart. They know that. They know we are going to fight for the guy in the plant, for the housewife, for the small business man, for the small business woman. They know we are going to fight for the young professional who is trying to make his or her way ahead in his or her career. So they do not even try.

It does not bother me to say that they have not offered me any money. It does not bother me to say that other members of the opposition have not been offered money by the insurance industry. The thing is that the insurance industry—nobody said they were stupid; they are clever, they are smart. They are going to spend their money where it gets the biggest result. That is exactly what they have done. There is no reason for them to give money to us because we are going to fight legislation such as Bill 68 that is going to make incredible profits for them.

There are lots of reasons for them to be giving money to Liberal candidates in general elections, over \$100,000 of recorded contributions in the last general election to Liberal candidates from the auto insurance industry. Drivers in Ontario wonder where their premiums are being spent. I will tell members where they are being spent. They are being spent on campaign contributions to Liberal candidates.

I know this particular question was posed yesterday, "How many hundreds of thousands, maybe millions of dollars, how many millions of dollars were spent by that same auto insurance industry during that last general election on third party advertising?" Again, drivers in Ontario wonder where their premium dollars are going. You do not have to look far.

I will tell members why it is so important this bill be given thorough consideration and a thorough debate. It is because of the dishonesty that has permeated the campaign for Bill 68.

Mr Faubert: You should know.

Mr Kormos: You grimaced. I know it is hard to believe that dishonesty could be so prevalent in a campaign, but here it is

Mr Faubert: We're listening to it.

Mr Kormos: We have this member—where is Frank Faubert from? I can never remember his—

**Mr Faubert:** Point of order, Mr Speaker: The standing orders clearly say that the member should be referred to by the riding.

The Acting Speaker: The honourable member for Scarborough-Ellesmere has indicated that under standing orders members should be referred to by their riding and he is absolutely correct. I am a little uncomfortable about "dishonesty." Carry on with your remarks. I am listening very closely.

**Mr Kormos:** I appreciate that, Mr Speaker. The member for Scarborough-Ellesmere is listening as well.

Listen to this, catch this. I am not reading from Erskine May any more, nor from Beauchesne any more. I am reading, lo and behold, from the Canadian Underwriter magazine, February 1990. This is not the sort of stuff you pick up at the corner store. You have to be over 18 to read this.

I will tell members what the insurance industry itself says about profits or profitability. We are getting this information, as I say, right from Canadian Underwriter magazine. It is a magazine for the insurance industry. I get this once a month and read it, and I understand that the insurance industry has good reason to fudge the figures when it comes to reporting profits. We are going to talk about that in just a little while. We are going to talk about why it is important that this motion not pass so that we can discuss this in full debate in the course of committee of the whole and in the course of third reading.

Do members want to know something really remarkable? Members should hold on to their chairs because the third quarter of 1989 showed record high profits for the insurance industry in Canada, record high profits in the last eight years. Are members not glad they held on to their chairs? Record high profits for an eight-year period, shown in the third quarter of 1989, profits of \$317 million for the third quarter alone.

The insurance industry in Canada is going to have made well over \$1 billion in profits in the year 1989, and this government, the Liberals, want to throw another billion into the hopper, \$1 billion dollars of the taxpayers' money, innocent injured victims' compensation and drivers' premiums to add to the billion bucks the auto insurance industry will have made in 1989.

Profit of \$317 million was also the highest for eight years, an extraordinary profit. Net premiums written rose by five per cent. I am talking about the deceit that has been inherent in the promotion. Members better believe I am talking about that, because listen to this, listen to what the insurance industry is bragging about. They are bragging about the fact that net premiums written rose by five per cent over the same quarter, led by a 10 per cent rise in auto insurance premiums. See? The premium increases that this government permitted the auto insurance industry exceeded the premium increases they had in other forms of insurance.

It is incredible that the insurance industry that is showing record high profits for the last eight years, that will have had profits of in excess of \$1 billion for 1989 is being given this cash cow by the Petersonian Liberals.

When I make reference to the Premier, I am going to call him the Premier of Ontario. But I do believe there is a Petersonian philosophy that has permeated the Liberal Party in Ontario, so when I speak of the Petersonian Liberals, I am not making reference to Peterson as the Premier; I am making reference to his impact as leader of a political party, sort of like Keynesian economists.

#### 1650

Let's talk about what the Insurance Bureau of Canada, because the source of that material was the Insurance Bureau of Canada; Jack Lyndon, head spokesperson. That was from the March edition. In February they talked about auto insurance alone. This is really interesting stuff. This one will throw members for a loop; they can count on it. The IBC says that the auto insurance industry lost money in 1989. Let's look at how they

figure that out. Let's look at their figuring and let's look at the Liberal response to that, the Petersonian Liberal response.

This is what the little blurb from the IBC says: "Ontario car insurers paid \$63 million more to settle claims and operate the business than they earned from premium and investment income in the first nine months of 1989." Once again, good old Jack Lyndon is doing the same moaning and groaning that has characterized that industry for many, many decades. He is saying car insurance in this province continues to be a losing proposition for insurers.

Let me respond to that by saying this. If it continues to be a losing proposition, why are those guys, the Gore Mutuals of the world, the Allstates of the world, fighting tooth and nail to retain control of that industry? Why did they invest so much money in their Liberal buddies? To stay involved in a losing proposition? Cut it out. Only a real dummy would believe that. That is all I can say to the members, understanding the guidelines we have to operate in here.

Let me tell the House how they calculate that, and this is where we get into how insurance industries fudge the figures. They jerk around with their profits and losses. Let me tell House how they do it, because this is what Jack Lyndon says on behalf of that same auto insurance industry. "For every dollar of premium collected"—and this right here is the kicker—"92 cents was paid out or reserved to pay claims." That is the little catch, that is the gap, that is the beautiful thing about it. When you make a reserve to pay claims, you do not pay the money out. You may never pay the money out. You do not stop losing investment income on that money, but you jack it up to inflate your purported payout.

Sometimes what is omitted is far more obvious than what is included. Sometimes the words that are not spoken are far louder than the words that are, because what is omitted is that they do not break down that 92 cents to tell us how much of that 92 cents was indeed really paid out and how much was merely reserved to pay claims that may never be paid and, as we know, as often as not are not paid.

The whole insurance industry is about this. You collect the maximum amount of premiums. If you are a Wellington, if you are a Gore Mutual, if you are any other one of those operators, you collect as much in premiums as you can and you pay out as little as you can. That is what it is all about, and if you have to take a driver and grab him by the ankles to shake every last nickel and dime out of him to increase the premiums you get from him, you do it. If you have to cheat innocent injured victims out of what is rightly theirs, you do it.

If the insurance industry has to pay out millions of dollars in defence lawyers to wear away at innocent injured victims and deny them what it rightly theirs, they will do it. They have done it in the last 10 years, they have done it in the decade before that, the decade before that and the decade before that. And do members want to know something? That is why we have to have a thorough debate of this legislation. That is why time allocation is not acceptable—because of the dishonesty that has permeated the campaign for Bill 68. That is why time allocation is so unfair and so unconscionable—because there has to be an opportunity for the Minister of Financial Institutions to be answerable to members of this Legislature and to the committee of the whole House to questions like why he is giving away \$1 billion worth of taxpayers' money, drivers' money, innocent victims' money to the insurance industry, which made over \$1 billion last year. We would like the Minister of Financial Institutions to please answer that, because Lord knows he was not at the committee hearings to answer that sort of question, was he?

The parliamentary assistant, who is a heck of a nice guy, was sent out there day after day to take the heat, to get hammered and hammered and as often as not to very candidly tell the committee: "I don't know. I can't answer that question for you." Of course, it was an unfair thing to do to the member for Guelph. That is why we need full debate on this. That is why this time allocation motion has to be dumped—because what happens in committee of the whole is that we get a chance, as members of the Legislature, to ask questions about the bill itself, about specific clauses.

Again, a question that begs to be asked, that demands to be asked, is, why is the Minister of Financial Institutions, why are the Petersonian Liberals, selling out the drivers, the victims, the taxpayers of Ontario? Why are they so beholden to the auto insurance industry? Why are they so beholden to an industry that has demonstrated year after year, decade after decade, that it is going to gouge as much as it can and treat drivers and victims shabbily? Indeed, "shabbily" is an understatement of the type of treatment that drivers and victims get from insurance companies in this province. That question has to be asked. The question has to be asked about how it is that insurance companies in Ontario, private corporate automobile insurance companies, can jerk around with their figures to demonstrate losses when they do not have losses.

We are going to get back to this purported loss by the insurance industry in Ontario from Canadian Underwriter magazine. Let me tell members a little bit, because these are some questions that have to be asked too. We should not forget that these Liberals spent millions and millions of dollars of taxpayers' money on Kruger's Ontario Automobile Insurance Board up in North York at Lastman Towers or what have you. I have nothing against either drunks or sailors, but this government was spending money like a drunken sailor, tossing money around to landlords, renting big chunks of real estate.

I just found out the incredible square footage—I would almost be prepared to call it "acreage"—that was rented for the Ontario Automobile Insurance Board up in that high-rise tower. Of course, the Ontario Automobile Insurance Board was disbanded a long time ago, but the cheques kept coming. It has been sitting there vacant for a long time. Finally, the environmental assessment hearing on Ontario Hydro's 25-year plan is going to be held on that same acreage. The gazillions of dollars that have been poured away by this government will finally generate a little bit of usage by way of the environmental assessment hearing on the 25-year plan.

#### 1700

We are talking about the time allocation motion. Of course we are.

This Speaker was not here a few moments ago when a Liberal member jumped up on a point of order saying, "You've already argued the point of order."

I said: "Of course we've already argued the point of order. That was yesterday; today is today." This same member—they will not let me call people by their real names. There are some members whose ridings I know because they make an impact on me; there are others whose ridings I do not remember because they do not make an impact. This member—I just checked my floor plan here—is from Brantford. It is a good thing we have programs. You cannot tell a player without a program.

This member jumped up on a point of order, saying, "You've already argued the point of order." The Speaker invited

4 APRIL 1990

me to respond, and I was a little bit troubled because I thought, "Doesn't this member understand that he, along with other women and men who serve as legislators, has an obligation to understand parliamentary principles and apply them to a decision that has to be made on a time allocation motion?"

Mr Faubert: Are you lecturing us?

Mr Mackenzie: Dave Warner is going to lecture you.

Mr Laughren: You're sitting in here. Do you know what Dave Warner is doing now? He is going door to door in your riding. You're dead in the water, my friend.

Mr Kormos: There is an exchange going on over which I have no control. The exchange is all about the Liberal members who are going to be defeated in the next general election. I am hard pressed to interrupt it. I almost feel as if I should back off, sit down, quite frankly, and let some meaningful discussion, perhaps an assessment of how many Liberals will lose their seats—

The Acting Speaker (Mr Breaugh): Order, please. I would remind the members of standing order 78(c): "Don't rattle the cage."

Mr Kormos: We were talking about the reason why committee of the whole is so essential: so that we can ask the minister questions because he was not there at the committee hearings to be asked questions. He was not there to be asked questions about the profitability of the insurance industry and how that industry diddles its books. He was not there to be asked about the Insurance Bureau of Canada's own assessment of the profitability of the revenues and payouts, the revenues and expenses of that automobile insurance industry.

What I was doing was talking about the statement from Jack Lyndon, Insurance Bureau of Canada, where he talked about what is being paid out and why it is so essential to have sufficient time to ask the minister about these things. Jack Lyndon says that for every dollar of premium collected in 1989, 92 cents was paid out or reserved to pay claims. We know that does not really mean being paid out.

I was just starting to explain how, back at the Ontario Automobile Insurance Board hearings, we learned from the government's own actuary, Irene Bass, brought in by the government from Manhattan, from New York state, New York city; brought up here and paid a whole lot of money to analyse the books, in so far as they were made available in a limited way, of the auto insurance industry.

She had to wait for those books to cool down after they were taken out of the oven before she could even start flipping the pages. What she discovered was that when the automobile insurance industry reported a loss in 1987 of \$142 million, what that really means is that it had a profit of over \$50 million. She explained to those of us who were there how that was done, which is why I would love to be able to have committee of the whole of sufficient duration so that these very same questions could be put to the minister.

Irene Bass, the government's own hired actuary, says that payouts are distinct from reserves, that reserves still belong to the insurance company. They still sit in the insurance companies' banks, they still earn interest income. You have to treat that with a great deal of caution, because she also explained that the insurance industry has an interest in generating apparent losses when in fact there were not losses but, rather, profits.

So you have got 92 cents, according to Jack Lyndon. You either pay it out or reserve it, which means that it is still in the

insurance company's pocket. Twenty-one cents is paid out for operating expenses. This is where you really get some interesting insights into the private corporate automobile insurance industry in Ontario, because 21 cents paid out for operating expenses—that is, brokers' commissions and company overhead—is awfully high. What that reveals is that this is an incredibly inefficient industry, that it is paying far too much in overhead. You contrast that with what the government of Ontario has acknowledged is the increased efficiency of public, driver-owned schemes, like those in British Columbia, and once again you start to realize where even more drivers' premiums are being poured away.

In assessing 1989 in the Ontario automobile insurance industry, Jack Lyndon also talks about the three per cent premium tax that industry pays. That is the very same three per cent premium tax that the Petersonian Liberals would forgive payment of by the auto insurance industry. This Liberal government would rather dig deeper into home owners' pockets and have that \$95 million a year—previously obtained through premium tax—gouged and robbed, stolen, picked from the pockets of seniors, single mothers, hardworking people who deserve far better. Three cents on every dollar was paid to the provincial government in premium tax.

Listen to this: 14 cents was earned in investment income. What Lyndon does with those figures is say the automobile insurance industry in Ontario lost money in 1989, it lost two cents for every dollar collected in premiums. But catch this: these are the sorts of questions that committee of the whole House permits to be asked of the minister because, as I say, he was not there in the committee hearings to be asked these questions. The poor member for Guelph, as often as not, candidly admitted that he did not know the answers. He would wince when one of us indicated in committee that we wanted to ask a question, because he would be again put in the position of having to acknowledge that he did not know.

A legitimate period of time in committee of the whole and in third reading debate would permit these same queries to be made of the minister, as they ought to have been in committee, except the minister was not there. Therein lies one of the most significant single reasons why this motion should be defeated, because the minister did not attend committee hearings. How can this government dare bring this motion when the minister would not participate in the committee hearings?

This is the only opportunity that legislators have to ask the minister questions about the clauses contained in the bill, about the impact of the bill on drivers' victims and taxpayers and about the amendments that the government is proposing. And the minister says no, the minister says that he chose not to be present at the committee hearings, and now he says, "You can only have four or five hours maybe, if you are lucky, to discuss the bill on a clause-by-clause," to discuss the 30-plus amendments that the government is proposing. You could not even present the 30 amendments that the government is proposing in that grossly limited period of time that the government would have us discuss clause-by-clause in committee of the whole, never mind the 20-plus amendments that the Conservative Party is proposing.

#### 1710

The minister wants to make sure that we cannot ask any questions about the profitability of the insurance industry in Ontario and in Canada. He wants to make sure that we cannot pose this question to him. Even if the insurance industry's own figures—and we know that they are cooked, we know that is

the bent of the insurance industry-only show a loss of two cents in every dollar and even if we accept them for the briefest of moments, because I know how difficult it is to accept what the insurance industry says in terms of its profits as being true, look at that: it is only claiming a two-cent loss on every dollar. The elimination of the three-cents-on-every-dollar premium tax, the elimination of that premium tax alone, will thrust them up into profitability. Yet are the government and Bill 68 content with merely eliminating the premium tax? No, because even on the insurance industry's own figures the elimination of that premium tax is going to generate impressive profitability. But no, this government also wants to relieve the insurance industry of its obligation to OHIP, to the tune of some \$46 million in the first year alone. Members had better believe it. The taxpayer giveaway to this particular corporate welfare bum is to the tune of around \$141 million to \$143 million. That is why it is so essential that there be an opportunity to question and debate this in full.

What that means is that \$140 million to \$143 million in extra tax is going to be taken from hardworking people in Ontario, from seniors, from old people, from unemployed people and from people on pensions. It is going to be taken from them and given to the auto insurance industry. What that means is that drivers are going to be gouged to the tune of premium increases of up to 50 per cent, and what that means is that victims are going to be denied compensation that is rightly theirs. Over 95 per cent of innocent injured accident victims are not going to receive any compensation for their pain and suffering, and that is going to put an extra \$823 million into the private corporate automobile insurance companies' bank accounts.

This motion would deny the opportunity for opposition members to talk about the secrecy that accompanied all of 1989. There were over 30 documents, which were finally procured from the Liberal government, that revealed the secret studies which were taking place during 1989 and that demonstrate that this government had this payout and payoff for the insurance industry planned all along. Those documents were only made available on 6 February 1990, after participants in the committee hearings had made their submissions, and it meant that none of those participants, included among them professionals, economists, various university professors and academics among others, it prevented the opposition from permitting these same experts with their expertise to examine these documents, to look at them with a view to what they really meant and to what they really disclosed, such that these could become the subject matter of those same discussions during the course of committee of the whole.

This motion is really letting the government have its own way in every aspect. The insurance companies' rate filings made before the end of the year and at the beginning of 1990 revealed to the government exactly what the insurance industry has in mind when it comes to the premiums that it is going to be charging drivers in 1990, once this legislation is passed. Nothwithstanding persistent requests during committee hearings, the government would not make this information available. Again, secrecy became the order of the day. The government collected information and kept it secret; the government generated information and kept it secret. The last thing in the world the government wanted was for this information to be made available either to witnesses at the hearings or to opposition members, because it would have enabled those same witnesses and those same opposition members to understand what the real motive was for this legislation.

The absence of the minister from the committee hearings prevented him from having to respond to the inadequacies of Bill 68 and the illogic and the dishonesty inherent in the insurance companies' presentation of their case. Again, to demonstrate and illustrate why time allocation is such a disgusting perversion of parliamentary procedure, let me tell members about this because this is what we are not going to be able to talk to the minister about. It is going to take a couple of seconds to set this up in terms of illustrating what we have here.

We have a young man whose name is Mike Dayboll, who lives on Church Street in Fenwick. He is a first-year student at Niagara College, in the law and security program. He was involved in a very minor collision back in 1989. He insists that no damage was caused to either vehicle; at least, he did not see any. He acknowledges that the vehicles made contact, that his vehicle struck the other party's vehicle. Months and months went by until finally a writ was served on him-in the small claims court, of all places—seeking a claim of \$674.57. Well, young Mike Dayboll, not knowing a whole lot about that stuff but knowing a little bit about it, because he was in the law and security program at Niagara College and he probably talked to some of the legal assistance students, the same ones who were up here the other day touring Queen's Park, took that small claims court writ or claim to his insurance company, Pilot Insurance; Pilot Insurance, lest we forget.

Pilot Insurance was told, without any confusion, by young Dayboll, "I don't know where these people are at but, believe me, I didn't cause any damage to their vehicle." That is what they were claiming for, not personal injury but some tail light lenses and stuff like that. He said: "Don't pay it out. I am telling you, this is a false claim. It has to be fought."

Well, Pilot paid it out, perhaps understandably so. A \$674 claim is going to cost at least that much to defend, even successfully and even in small claims court where, if I understand it, and I am not certain of this, the maximum cost payable is around \$50. So Pilot did what was economically sound from its point of view. But they also persist in saying that they did not believe their young insured, Mike Dayboll, and that he must have caused the damage, "Why else would the people have sued?"

So they paid out the \$674 and then they jacked up his rates by around \$1,100. Dayboll said, "Wait a minute, what gives here?" Young Mike Dayboll from Fenwick said: "What gives? How come you are jacking up my rates by \$1,100?" They said, "Well, you've been in an accident and that demonstrates that you are a higher-risk driver."

#### 1720

Do members know what? The promoters of Bill 68 would have us believe that this indeed is a sound and rational approach for insurers to take and that accident frequency is an illustration of higher risk, so those people should pay more. Except here is the kicker, here is the sweet part of this story: Pilot also tole him, "Look, you pay us back the \$674 and we'll drop your rate back down to what it was before." Well, they can't have thei cake and eat it too. What are they talking about? An accident i illustrative of higher risk or it is not. Pilot Insurance is not using accidents as a basis upon which to evaluate risk, it is using accidents as a basis upon which to jack up premiums.

What it is doing, obviously, is getting out of the insuranc business. Bill 68 virtually removes risk from what is suppose to be a risk-pool industry. What bill 68 does is ensure that th insurance companies will make profits and ensure that there i no insurance.

So you have a kid like Mike Dayboll, who has been lied to. He is told that, "The fact that you had an accident is why we feel justified in jacking up your rate, but if you pay us back what we paid out, we'll ignore the fact that you've had an accident." What? All of a sudden, if he greases, if he pieces off his insurance company, he is deemed—maybe insurance companies are into deeming too—he is deemed not to have had an accident.

That is the story the way Pilot tells it, and that is the very sort of thing that we want to ask the minister about and whether this legislation deals with that, because Lord knows we were there asking during the committee hearings, but the minister was not there to provide the answers. We waited; we listened; we did not hear from him. We waited and thought, "Maybe he's coming, maybe he's just a little bit late." It was morning after morning. I began to worry, "What if the minister was in a car accident on the way here and that's why he's—" I began to worry about him. There was no car accident. "Maybe he's sick." He was not sick. He chose not to come to the committee.

So that is the sort of thing about which it is imperative that we have a serious period of time in which to conduct committee of the whole clause-by-clause discussion and debate. That is why this time allocation motion has to be defeated.

Another one that has come up and that we would dearly love to ask the minister about—and I tell you this much, Mr Speaker, I am insisting there can be no other real reason for this time allocation motion other than the minister's desire to avoid this sort of questioning—he knows Mike Dayboll is getting shafted by Pilot Insurance and what has he got to say?

Another thing we would like to ask him about is Scottish and York Insurance and Victoria Insurance. He knows about that, but in the context of a discussion of Bill 68, it would have been a highly appropriate question to have asked at committee and we were prepared and eager to ask it.

The parliamentary assistant did not know about that. He did not know the answer to that. Come on now. The parliamentary assistant, the member for Guelph, is a heck of a nice guy, but he is not the minister. Scottish and York and Victoria: Remember the insurance flip, the insurance shuffle? That was the one where the letter reads:

"Dear Client:

"We regret to advise that Scottish and York has discontinued writing personal lines auto insurance in the province. To ensure that your insurance is continued without interruption, we have taken the liberty of replacing your policy with Victoria Insurance. Their coverages, limits and deductibles remain unchanged, although the premium has increased."

Well, it sure did. You talk about premiums that are not quite but darned near doubled, and you are talking about insurance companies that, I will be darned: shared head offices, shared secretaries, shared presidents. I mean, you are talking about one and the same company—siblings, if you will; the Cain and Abel of the insurance industry. And you are talking a bill here, Bill 68, that is not going to contain that type of dishonest conduct, that type of gauging of drivers, that is not going to—well, the leopard is not going to change its spots. The insurance industry is no more trustworthy now than it was a year ago, than it will be if Bill 68 is permitted to pass.

And I say if Bill 68 does not receive the attention that it deserves in committee of the whole and on third reading, it could be passed by people who simply do not know any better.

The Minister of Financial Institutions did not avoid each and every one of the general government committee hearings. He was at the first one, and that is where he took his shots at

PRIDE. He fired his opening salvo at John Bates, the president of PRIDE.

Mr Bates is just about the finest person I have ever met. He has dedicated himself to helping the families of victims of drunk drivers survive what must be just horrendous times in their lives and he has dedicated himself to trying to develop a legislative framework in which drunk drivers will be forced off the road, in which drivers of all types will be safer drivers, more competent drivers, more capable drivers.

PRIDE has a membership that is probably well into the thousands of people, people from across Ontario, people who have been victims of drunk drivers, of other types of bad driving, but as well people who simply care enough to become involved.

The concerns of people like John Bates and PRIDE have to be addressed, and the only way we can do that, the only place we can do that, is in committee of the whole, when the minister is here to answer questions about the issues that John Bates and PRIDE raise, because PRIDE's concerns with Bill 68—People to Reduce Impaired Driving Everywhere—are valid and legitimate concerns.

Just to illustrate for you what we mean when we say meaningful committee of the whole discussion, what we mean when we say that this time allocation motion has to be defeated, let me illustrate some of the things, let me tell you some of the things that would be put to the minister if there were adequate committee of the whole discussion.

One of the sets of things that would be put to the minister for response would be the concerns that PRIDE has with Bill 68, with this new auto insurance scheme, the one that the Liberals, mind you, call no-fault. If you want to talk about, again, the dishonesty that has permeated the whole movement to get this legislation in place, this is not no-fault legislation. That is absurd. That is just down right stupid to call it no-fault legislation. It is threshold legislation, it is a threshold insurance scheme. Come on—no-fault, my foot. It is a threshold scheme and that is the long and short of it.

But the sort of things that PRIDE would want, opposition members—because PRIDE recognizes that it does not have very many voices over on the government benches. People over there have not been raising the concerns that PRIDE has had with Bill 68, with this auto insurance scheme, with threshold insurance.

What would PRIDE want to talk about? PRIDE would say that they have some concerns. John Bates would want opposition members to question the minister about the problem that they have with the right to sue, the right to claim compensation from those who have injured people. He would say that it is a very basic right which should be not tampered with lightly.

They would say that Bill 68 discriminates against victims of automobile crashes. Those victims of crashes in boats, snow-mobiles or other vehicles retain the right to claim compensation through the courts, but victims of automobiles crashes lose that right. That right is being taken away from them by the government of Ontario in Bill 68.

#### 1730

That is why it is so important that there not be time allocation with respect to the insurance scheme proposed by the Liberals, because Bill 68, this new insurance scheme that the insurance industry wrote and that the insurance industry wants, is going to take away people's right to obtain access to the courtroom.

John Bates from PRIDE is concerned about that. We are concerned about that too. It is pretty scary stuff, and it surely warrants discussion lengthier than two two-and-a-half-hour afternoon sessions. You better believe it, Mr Speaker.

Another thing that John Bates and PRIDE would have concern about—this is something about which the minister has to be answerable, and he has to be prepared to address this before people could even consider voting on Bill 68 in third reading—Bill 68, the insurance industry's legislation, the insurance industry's auto insurance scheme that is going to make record profits for it, states that convicted impaired drivers will not receive compensation, but at the same time it states that persons involved in any crash must start to receive compensation within 10 days—here is the catch—including the impaired or irresponsible driver who caused the crash in the first place.

The government wants to play games with the people of Ontario. The government knows full well that people in Ontario will not tolerate coddling of drunk drivers, so the government says, "Well, we're not going to compensate drunk drivers." But then the government had to acknowledge that it is only after they are convicted that it can deny them compensation. What that means is, the drunk driver who smashes a kid to the ground but who then bangs his or her own head against the steering wheel of his car—

We know the state that the courts are in in this province. Courtrooms are being shut down by the Ministry of Labour under the Occupational Health and Safety Act, courtrooms like those in Niagara Falls, and thousands and thousands of cases have to be delayed or adjourned further. We know that there is not a drunk driver in Ontario who cannot buy himself six months or a year, or even 18 months or two years, before a court date is finally set for a trial.

John Bates and PRIDE would want to question the government in the course of committee of the whole hearings about how is it that the government says that drunk drivers will not be compensated, but we know that drunk drivers will be compensated and we know that in some instances the drunk driver will get more compensation than his or her victim. The drunk driver, under Bill 68, will be compensated where the victim will not.

That is a shabby approach, and that is the sort of thing that has to be raised with the minister in committee of the whole. The specific clauses in the amendments which give rise to this concern have to be addressed. It has to be explained to the Legislature and to the public how the concerns of John Bates and PRIDE are going to be met.

John Bates and PRIDE would have this to be asked of the minister during the course of committee of the whole, because PRIDE recognizes that this so-called threshold appears to be designed to deliberately limit compensation paid to innocent victims. The threshold introduces an unacceptable air of uncertainty about who will and who will not be able to sue. They ask this most valid question, which the minister clearly wants to avoid. That is why he has this time allocation motion before the Legislature. The question to be asked is this: How, for example, in the very early stages of a victim's recovery, can anyone determine if an injury is permanent or not, exactly?

It is a question that has to be asked, that cries out, that begs to be asked, but the minister does not want to answer it. He did not want to answer it during committee hearings. He simply disappeared. He took a hike. He took a walk.

Committee of the whole in the Legislature is an accepted traditional course or state in the course of a bill from beginning to end, but the minister wants to make sure that is restricted to

such a pitifully short period of time that it becomes meaning-

John Bates and PRIDE would also ask this and would want to have it asked of the minister and of the government during committee of the whole. John Bates and PRIDE know that—this is what this legislation does. Listen to this, Mr Speaker. You will be alarmed at this particular aspect of Bill 68: "The exclusion of pain and suffering as being legitimately compensable is harsh and thoughtless. The fact that a mother cannot receive compensation or a person whose life has been shattered cannot get compensation for that is unconscionable." That is what is going to happen.

Sadly, I suspect there are still a few Liberal backbenchers who do not know these things about Bill 68, and that is why it becomes all the more important to have thorough and complete committee of the whole hearings. There are any number of things that any number of people could do, but the people of Ontario insist on this modest level of disclosure and this modest level of discussion that we are calling for by way of seeking the defeat of this motion.

Let me tell you something else, Mr Speaker. Again, I know you have been horrified by what I have had to say about the impact of Bill 68 on so many people's lives, and I know you are concerned about it. I know you have to take an impartial role in this whole process. Notwithstanding your shock and horror about this legislation, your job here is to make things flow at smoothly as they can. I can understand why you, as the Speaker must have to resist the temptation time and time again to jump up and tell your colleagues sitting here in the Legislature tha this is bad legislation, that it has to be defeated and that to impose time allocation is unparliamentary and undemocratic. understand how that temptation could come to you, and respect you for your professionalism, your talent and your skil as a Speaker in resisting it. It is important, of course, that the Speaker remain impartial. It must be difficult when such uncon scionably bad legislation is before the House, and it is for tha reason that I do not envy you in your chair.

At the same time as you have been muted by accepting th role of Speaker, the government, if it had its way, would mut all of us as opposition members, because the government know and the insurance industry knows that we are not afraid to spea out against the insurance industry. Quite frankly, the insurance industry does not scare us. Why it scares so many government members is beyond my understanding right now. I would low to have the opportunity to talk to some of them about why the are being cowed, why they are being bullied by this. It is a big powerful, wealthy industry, I know. Are people really throwing a fight for the few hundred bucks they are going to get a election time by way of donations? Are they really biting the canvas, motivated by that desire for a few hundred bucks i campaign contributions? That is pathetic.

John Bates and PRIDE would have their concerns addresse if we were permitted, if we were being allowed to have committee of the whole, which the rules provide for but which arrogant majority would seek to deny us. PRIDE says thi "Students, housewives, retired people and others who have rearned income may have to pay greatly increased premiurates, not due to their driving record, but because insurance companies may consider them to be more expensive risks, they have no income protection plan." We know where the comes from—it comes from a careful reading of the legislation which John Bates and the people at PRIDE have done.

It also comes from people like Don McKay. Remember, his third quarterly newsletter for the Facility Association

4 APRIL 1990

1989, Don McKay, the general manager of Facility Association, had this to say about Bill 68. He said that if Bill 68 is passed, more and more people, good drivers, innocent people, are going to be forced into Facility Association and into paying the tion—again more actually told do scheme is going to be forced into Facility Association and into paying the

premiums that are in the \$2,000, \$3,000, \$4,000, \$5,000, \$6,000 range.

#### 1740

Who are these people going to be? Who are the people going to be that this government, that the Peterson Liberals are forcing into Facility Association? Who is it going to be that the Peterson government is forcing to pay premiums of thousands and thousands of dollars? Senior citizens, retired people who have worked hard all of their lives and expect only the opportunity to live modestly on what is for most of them a modest income.

These are the sort of people who are being talked about by John Bates of PRIDE and by Don McKay, the general manager of Facility Association, as being people that the Liberals in Ontario are going to force into Facility Association. Senior citizens, students, unemployed people, housewives, farm workers and farmers, small business people are the people who are going to be forced into Facility because of this insurance legislation, not because they are bad drivers, but because of who they are.

Don McKay said that, and he was right. Mr Justice Osborne said that also, a judge of the Supreme Court of Ontario. He told the government and told the people in Ontario that this bill, this legislation, this insurance company legislation that creates threshold insurance designed to create windfall profits of \$1 billion in the first year alone for the auto insurance industry is going to force senior citizens, old people, grandparents—grandmothers and grandfathers are going to be forced into Facility Association, not because they are bad drivers, and Lord knows not because they can afford the premiums that are going to be in the thousands and thousands of dollars a year, but because this government does not give a tinker's damn.

This government is so beholden to the auto insurance industry that it will sell out seniors, it will sell out the unemployed, it will sell out farm workers, it will sell out students, it will sell out small business people, it will sell out house spouses, all of whom are going to be forced into Facility Association as a result of Bill 68.

John Bates of PRIDE knows it; Don McKay, the general manager of Facility Association, knows it; Mr Justice Osborne of the Supreme Court of Ontario knows it. We want a chance to ask the minister about it. We want a chance to say to the minister, "What's going on here?"

John Bates of PRIDE asked the question, "Under no-fault, who will stand up for the victim?" Certainly not the insurance adjuster. The lawyer is a vital part of the recovery process. Again, you are talking about people who have undergone the tragedy of having family members dismembered by drunk drivers and killed, murdered on our highways by drunk drivers.

This is who the people from PRIDE speak for. They understand that victims need somebody to stand up for them. They understand that insurance adjusters do not stand up for the victims. The insurance adjusters are there to protect the interests of the insurance companies and to make sure they are as profitable as they can possibly be.

John Bates and PRIDE know that the plan, this auto insurance scheme, this threshold insurance system, that is being dumped by the American jurisdictions from which it was imported, is being introduced with the argument, with the explana-

tion—again more myths, more dishonesty. This government has actually told people in Ontario, the Liberals in Ontario have actually told drivers and taxpayers that this new threshold scheme is going to be a method of controlling insurance premiums.

385

It will control them all right; it will make sure they are as high as they have ever been. It will control them all right; it will make sure that for many drivers in Ontario they go up by as much as 50 per cent. It will control them all right, because it will make sure that hundreds and indeed thousands of good drivers, senior citizens, students, workers, farmers, small business people, are forced into the ultra-expensive Facility Association.

John Bates and PRIDE understand that if you really want to do something meaningful about insurance rates, you control the crash rate. Those are the types of concerns that a very valid organization, an organization that provides leadership here in the province, has. The personalities just cannot be duplicated. Here are these wonderful people with integrity providing a valuable service and trying to provide leadership, trying to provide assistance to this government about what it means to really address the concerns about carnage on the highways.

That is where the sad hoax about the Ontario motorist protection plan warrants even more question and examination and analysis and debate. That can only take place now in committee of the whole and then in the course of third reading. To restrict, to hamper the committee of the whole by making sure that it does not last any longer than two afternoons is absurd. It goes well beyond anybody's sense of fairness and it descends into what we have called, rightly so, "jackbootism" and a real disdain for democracy and a real disdain for people in Ontario.

We are talking about a Liberal Party, a Liberal government that is ready to toss democracy out the window and that is ready to reject and abandon long-time traditions, long-time procedures, procedures that are time-honoured and valid, because they are procedures that make a democratic parliamentary process work. Yet this government, the Liberals in Ontario, are ready to dump that. They are ready to abuse the majority that they have; they are ready to engage in an act so arrogant and so supercilious as to be obscene.

So I say that the position of PRIDE is like that of so many others, a position which is becoming increasingly angry about what this government is doing in collusion with the auto insurance industry.

The ghost car minister is not here again. No wonder he is not here; if I were getting his press, I would not be here either.

Just at the beginning of this past week this Liberal government announced relaxed guidelines for advertising by liquor manufacturers. We know what the purpose of advertising by those actors is. It is to encourage more people to drink, to drink younger and to drink more often.

So on the one hand we have a government that tries to perpetrate as big a hoax as has ever been made on people in this province by saying it has got an Ontario motorist protection plan, yet at the same time—again, people over here on this side of the House, in the opposition, do not get donations from liquor companies. We do not have personal buddies on the boards of directors of liquor manufacturers and beer manufacturers. I dare say that—

Miss Roberts: You get it from the unions.

Mr Kormos: We are going to deal with that in just a minute. Along with all my colleagues, I get campaign contributions from trade unionists, you bet your boots I do, and I am

proud of it. At the same time, we do not take money from liquor companies. Just as the insurance companies are not particularly inclined to offer it to us, liquor companies are not either, because they know that we are not going to be their puppets; we are not going to do their bidding here at Queen's Park.

The most disgusting bit of puppetry took place when the Liquor Licence Board of Ontario announced its new, relaxed guidelines for liquor manufacturers. How in the name of goodness could that ever have been tolerated? Guidelines that were finally implemented in 1980 that controlled in a very modest way liquor and beer manufacturers from peddling their particular drug in public and in magazines and on television, were relaxed and expanded.

#### 1750

The liquor industry has but one goal in mind, to make more drinkers, to make younger drinkers and to make those increased numbers of younger drinkers drink more than they ever did before. That has to be discussed with the Minister of Financial Institutions during the course of committee of the whole. That is why we need as much time as is possible for a thorough clause-by-clause evaluation of this bill, a discussion of the bill in total and how each of those clauses, as amendments to the Insurance Act, are going to make for lower premiums—they are not—are going to make for better compensation—they are not—and are going to make for less carnage on the highways—no way.

John Bates, in People to Reduce Impaired Driving Everywhere, had some concerns about the liquor advertising guidelines as they existed before this Liberal government decided to liberalize those same guidelines. John Bates, in PRIDE, would very validly raise concerns about the fact that advertising is permitted that generates a conceptual link between drinking and driving. Phrases, as he has documented them, such as, "When it comes to racing, Ex says it all," do exactly that. John Bates would tell members that the tougher guidelines as they existed in 1980 were not even sufficient to adequately control the liquor and beer industry, because indeed these permitted lines such as, "When it comes to racing, Ex says it all."

What has this government done? Have they toughened the guidelines? Have they restricted them? Have they made sure the liquor companies have a little bit more difficult time peddling their particular abusive substance to kids and to young adults? No. This government says: "No, no, snare more people. Sell more booze to younger people and make them drink more of it." That is what this government is all about, and it proved it when it introduced its new, relaxed advertising guidelines for liquor and beer manufacturers.

But friends are friends and buddies are buddies, and you got to pay back. The problem with taking donations from these type of folk is that at some point the marker is called in. At some point you have to pay back. He who pays the piper calls the tune. This government is being paid, and its tune is also being called, by some of the most insidious and distasteful elements of our corporate society like the auto insurance industry, like the beer and liquor manufacturers of Ontario.

Even the old guidelines said that beer companies are not supposed to advertise to the young. Yet who were some of the biggest promoters and sponsors of rock concerts and programs that are designed specifically for young people? Those very same beer companies. It is absurd and this government does not do anything to help control it. This government makes it easier for the liquor manufacturers to peddle their drug.

Those are the sorts of issues that have to be addressed. For the last few moments I have talked about the concerns of PRIDE. This government has not really even taken alcohol abuse as seriously as it ought to. PRIDE would call upon this government to issue a strong policy statement on alcohol abuse paralleling, or in the same category as the position it takes or substance abuse. This government is not prepared to even discuss the recommendation of PRIDE that licences for drivers who register over 0.08 blood alcohol content be revoked on the spot.

This government does not want to sit in committee of the whole and hear constructive comments provided by good people like PRIDE, People to Reduce Impaired Driving Everywhere. This government wants to hide from the public and wants to hide from the opposition, and that is what this time allocation motion is all about, hiding from the opposition.

This government is not about to talk about another one of PRIDE's concerns and recommendations, and that would be that it initiate permanent licence suspensions for repeat impaired drivers. It would be that there be consideration of zero tolerance, zero blood alcohol content or something much lower than 0.08. I tell members that there are jurisdictions that no only have experimented with that but have implemented it, to great success. We are talking about real ways, then, of reducing the crash rate, of reducing the injury rate, of reducing the death rate. We are not talking about a hoax whose only goal is to create unheard-of and obscene profits for an auto insurance in dustry, part of an industry that is already doing quite well, that is already making profits that are a record high for the last eight years, thank you very much.

This government is not prepared to sit through committee of the whole to hear those criticisms of Bill 68 and to discuss and reveal how Bill 68 does not respond to them, does not address those issues. I mean, all Murray—I am sorry; I almost called the Minister of Financial Institutions "Murray Elston," but then realized that would be improper and the Deputy Speaker would undoubtedly take me to task.

Interjections.

Mr Kormos: Wait a minute. There is somebody over ther flapping his gums and I did not hear him. I am looking forwar to his contribution to this debate. We all are, because it will b good for a laugh. There is a clown in the Liberal ranks who i missing everything but his little red nose and his floppy shoes.

**Mr Curling:** On a point of order, Mr Speaker: I have listened for hours to the honourable member.

The Deputy Speaker: Which standing order?

**Mr Curling:** I am just trying to find the relevance. Is he o the topic of discussion?

**The Deputy Speaker:** Order, please. The member for We land-Thorold may proceed but remain on topic.

Mr Kormos: I should respond to the point of order. The member's point of order contained, among other things, he admission that he has been listening carefully. I expect then the he will be voting against the time allocation motion, because he has listened carefully he will understand that there is reall no other way to go. That is number one. Number two, he has admitted that he has heard everything I have had to say. Som of us in this Legislature may be sceptical about that. I have couple of questions I could ask him whereby he could demonstrate that he indeed was listening.

Obviously the Deputy Speaker would rather that I talk about the time allocation motion, that I talk about this complete denial of the principles contained in Beauchesne, a complete rejection of the principles enunciated on page 3 of the sixth edition of Beauchesne's Rules and Forms of the House of Commons of Canada with Annotations, Comments and Precedents, published by the Carswell Co, 1989. In the very first chapter—I suppose it is just as well for the government members, because many of them do not have long attention spans. I understand how it is difficult for them to get to the second page of a written text, but we are going to talk about the principles.

Mr Haggerty: Read the whole page. Mr Kormos: The very first chapter— The Deputy Speaker: Order, please.

Mr Kormos: I am being called upon by government mempers to read the whole book. Over the course of the next two or three weeks, while we are debating this time allocation motion, I will tell members this, I may not read the whole book but I will get darn close to the end.

We are on Beauchesne and we are talking about some fundamental principles of Canadian parliamentary law, so fundamental they should be in all our vocabularies, should be in all our lexicons, if you will. The principles of Canadian parliamenary law are—I bring these to the members' attention so that the guidance that is necessary for people to vote properly on this ime allocation motion can be provided by the Chair, "To protect a minority and restrain the improvidence or tyranny of a majority."

Listen, do we have to go any farther? There is a minority. There is the tyranny of a majority. There are people across Ontario—do members know what is problematic and what calls out for full debate? The fact that we have been able to come up with name after name after name of organizations that oppose this bill, the fact that in one day alone some 15,000 petitions were presented to this Legislature opposing this bill.

I keep hearing the names of Gore Mutual types tossed around as being in support of it. Of course they support it. They are the auto insurance industry. They have every good reason to support it. It is their payday. It ain't a payday for the drivers of Ontario; it is a big expensive day for the drivers of Ontario. Of course the insurance industry supports it.

I would be kind of interested in knowing during the course of this discussion exactly who it is in Ontario, besides the insurance companies, that supports Bill 68. I know there are a few Liberal members who feel obliged, because they know their tails are on the line. I am going to follow through on that.

As it is, considering that it is just seconds past six of the clock, Mr Speaker, seeing as how decorum and tradition are so important in this Legislature, I would please move adjournment of this debate.

On motion by Mr Kormos, the debate was adjourned.

The House adjourned at 1801.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L) Allen, Richard (Hamilton West NDP)

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**Beer**, Hon Charles, Minister of Community and Social Services (York North L)

**Black, Hon Kenneth H.,** Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

**Bradley, Hon James J.,** Minister of the Environment (St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)

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Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

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Chiarelli, Robert (Ottawa West L) Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)

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Cooke, David S. (Windsor-Riverside NDP)

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Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

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Epp, Herbert A. (Waterloo North L) Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)
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Furlong, Allan W. (Durham Centre L)

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(Carleton East L)

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Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

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Pelissero, Harry E. (Lincoln L)

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(Scarborough-Agincourt L)

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Polsinelli, Claudio (Yorkview L)

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Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

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Reville, David (Riverdale NDP)

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Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

**Sorbara, Hon Gregory S.,** Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Starling Norman W (Carleton PC)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation

(Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

#### CONTENTS

## Wednesday 4 April 1990

Members' statements	Social services
Sports council	Mr Beer
Miss Martel	Liquor store hours
<b>Education</b>	Mr Runciman
Mr Jackson	Mr Sorbara
Holland Equipment Ltd	Land registration
Mr Tatham	Mr Tatham
Plant closure	Mr Sorbara
Mr Mackenzie	Court facilities
Tire burning	Mr Kormos
Mr J. M. Johnson	Mr Scott
Ralph Snelgrove	Orillia Soldiers' Memorial Hospital
Mr Owen	Mr McLean
Conservation officers	Mrs Caplan
Mr Wildman	Teachers' labour dispute
<b>Transit services</b>	Mr McGuigan
Mr Cousens	Mr Conway
Events in Lithuania	Gasoline prices
Mr Sola	Mr Morin-Strom
1111 0010	Mr R. F. Nixon
Statement by the ministry	Marmora arena
	Mr Pollock
<b>Social services</b>	Mr Black
Mr Beer	
	Petitions
Responses	
	Automobile insurance
Social services	Mr Pouliot
Social services	
	Mr Pouliot  Capital funding for schools
Mr Allen Mrs Cunningham	Mr Pouliot  Capital funding for schools
Mr Allen	Mr Pouliot  Capital funding for schools
Mr Allen Mrs Cunningham  Oral questions	Mr Pouliot  Capital funding for schools
Mr Allen Mrs Cunningham	Mr Pouliot  Capital funding for schools
Mr Allen Mrs Cunningham  Oral questions	Mr Pouliot Capital funding for schools Mrs Marland Automobile insurance Mr Wildman Mr Philip Capital funding for schools Mrs Marland  Mrs Marland
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot Capital funding for schools Mrs Marland Automobile insurance Mr Wildman Mr Philip Capital funding for schools 368
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot Capital funding for schools Mrs Marland Automobile insurance Mr Wildman Mr Philip Capital funding for schools Mrs Marland Automobile insurance Ms Bryden 368
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools  Mrs Marland  Automobile insurance  Mr Wildman  Mr Philip  Capital funding for schools  Mrs Marland  Automobile insurance  369  369  369  369  369  369  369  36
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources 360 Mr B. Rae Mrs McLeod  Rent regulation	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources 360 Mr B. Rae Mrs McLeod  Rent regulation	Mr Pouliot  Capital funding for schools  Mrs Marland  Automobile insurance  Mr Wildman  Mr Philip  Capital funding for schools  Mrs Marland  Automobile insurance  Ms Bryden  Capital funding for schools  369  369  369  369  369  369  369  36
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources 360 Mr B. Rae Mrs McLeod  Rent regulation	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Automobile insurance Automobile insurance  Automobile insurance Mrs Marland  Automobile insurance Automobile insurance  Automobile insurance 366
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Mr Laughren  366
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Mr Marland  Automobile insurance Mr Marland  Automobile insurance Mr Laughren Mr Morin-Strom
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Mr Marland  Automobile insurance Mr Marland  Automobile insurance Mr Laughren Mr Morin-Strom Mr Mackenzie
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools     Mrs Marland  Automobile insurance
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools     Mrs Marland  Automobile insurance
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools     Mrs Marland  Automobile insurance
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources .360 Mr B. Rae Mrs McLeod  Rent regulation : .361 Mr D. S. Cooke Mr R. F. Nixon  Hospital financing .362 Mr Eves Mrs Caplan Mr Brandt  Goods and services tax .363 Mr Laughren Mr R. F. Nixon  Post-secondary education financing .363 Mr Jackson	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Mr Mackenzie Mr Farman Miss Martel Mr Kormos
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Mr Mackenzie Mr Farman Miss Martel Mr Kormos
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources .360 Mr B. Rae Mrs McLeod  Rent regulation : .361 Mr D. S. Cooke Mr R. F. Nixon  Hospital financing .362 Mr Eves Mrs Caplan Mr Brandt  Goods and services tax .363 Mr Laughren Mr R. F. Nixon  Post-secondary education financing .363 Mr Jackson	Mr Pouliot  Capital funding for schools Mrs Marland  Automobile insurance Mr Wildman Mr Philip  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Ms Bryden  Capital funding for schools Mrs Marland  Automobile insurance Mr Marland  Automobile insurance Mr Haughren Mr Morin-Strom Mr Mackenzie Mr Farnan Miss Martel Mr Kormos  Reports by committees
Mr Allen Mrs Cunningham  Oral questions  Temagami district resources	Mr Pouliot  Capital funding for schools  Mrs Marland  Automobile insurance  Mr Wildman  Mr Philip  Capital funding for schools  Mrs Marland  Automobile insurance  Ms Bryden  Capital funding for schools  Mrs Marland  Automobile insurance  Ms Bryden  Capital funding for schools  Mrs Marland  Automobile insurance  Mr Marland  Automobile insurance  Mr Farnan  Mr Morin-Strom  Mr Mackenzie  Mr Farnan  Miss Martel  Mr Kormos  Reports by committees  Standing committee on regulations and private bills 37

Standing committee on finance and economic affairs 370 Mr Mahoney	Other business									
Adjourned	Visitor									
Government motion	Adjournment   <									
Time allocation, motion 30										
Mr Kormos										
Adjourned										

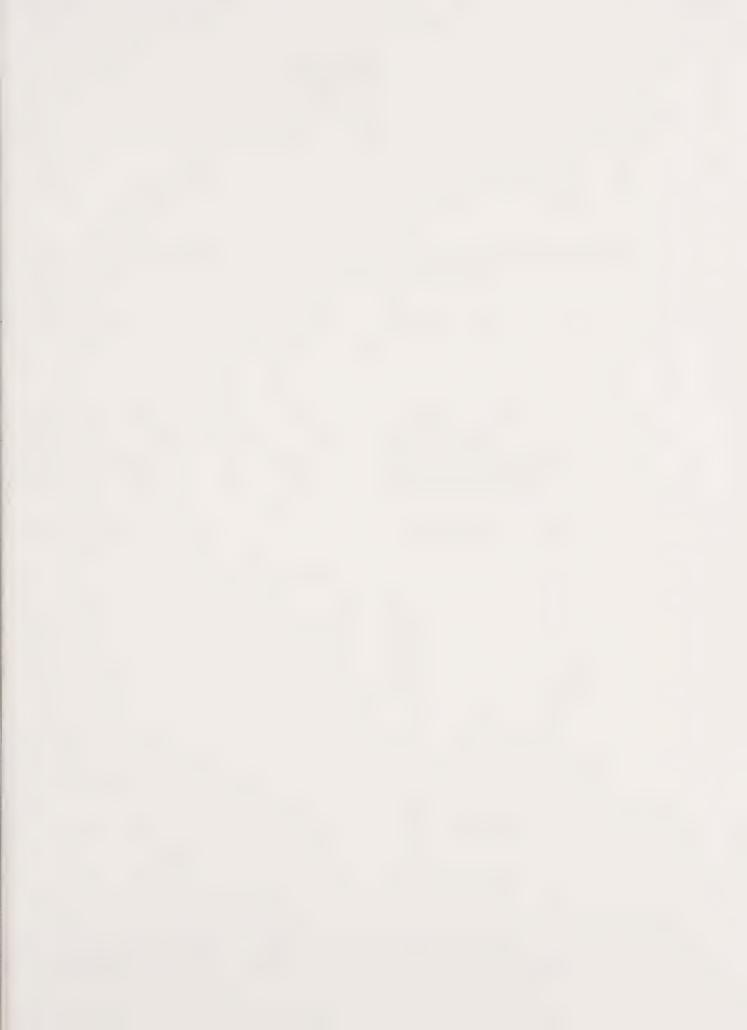
## TABLE DES MATIÈRES

Le lundi 4 avril 1990

#### Déclaration ministérielle

ervices sociaux												358
M. Beer												









12 90

12 90

# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Thursday 5 April 1990



# Assemblée législative de l'Ontario

Deuxième session, 34e législature

# Journal des débats (Hansard)

Le jeudi 5 avril 1990

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

#### Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

#### Thursday 5 April 1990

The House met at 1002. Prayers.

#### ORDERS OF THE DAY

#### PRIVATE MEMBERS' PUBLIC BUSINESS

#### VICTIMS' BILL OF RIGHTS ACT, 1990

Mr Jackson moved second reading of Bill 113, An Act to establish the Rights of Victims of Crime.

**Mr Jackson:** At the outset, I would like to thank all members of the Legislature for receiving this bill in the same non-partisan spirit in which it was written and tabled in this House.

When faced with the issue of the treatment and care of victims of crime, the major political parties in eight provinces across Canada have put aside their differences to work together to establish victims' rights bills. I am pleased that the members of this assembly have demonstrated their wish to stand by that nationwide example of statesmanship and concern for the plight of victims of crime.

The need for private member's Bill 113, An Act to establish the Rights of Victims of Crime, may perhaps be best understood when we compare how our justice system treats victims with how it treats the criminals. Our justice system indeed protects the rights of those accused of crime, and properly so. The accused are automatically provided with specific rights, rights which have been entrenched in law, so as to ensure that the basic principles of due process of law are upheld.

But how does the justice system, how does society, treat the victim of crime? Where are the provisions entrenched in law that would regularize police and legal procedures with respect to the treatment of victims of crime who, in the aftermath of the criminal act, must often face the sentence of prolonged suffering? Where is the established legal framework that would provide that victims of crime become not only a part of the process of criminal prosecution but also a part of the equally important process of self-rehabilitation?

Let us remember that under the law the accused are innocent until proven guilty. Victims of crime, in their pain and loss, never cease to be innocent. And in this is to be found a great injustice, a sad inversion of what we all fundamentally believe about the difference between right and wrong. It is this injustice which Bill 113 seeks to address and to alter in Ontario.

Studies show that 60 per cent of all information which results in the conviction of a criminal comes directly from the victim. Our criminal justice system works because of the direct participation of its victims. Still, depending on the crimes committed against them, 30 per cent to 90 per cent of victims do not report them to police. As Pat Marshall of the Metro Action Committee on Public Violence against Women and Children indicated to me, surveys show that women who do not report crimes of violence against them frequently cite the mistrust of our judicial system as their reason for not reporting.

Dr Irvin Waller, professor of criminology at the University of Ottawa, was involved in the design of the United Nations Declaration on Crime Victims. He tells me that victims' rights bills the world over have recognized that declaration and have instituted practical changes that both recognize and appreciate

the victim as the driving force of justice. I might add that Professor Waller has also worked on victims' rights bills for France, Australia and Manitoba, and he has monitored Ontario's efforts with respect to victims' rights since the federal-provincial justice conference in 1981.

In 1984 the victims' rights task force emanated from that conference. They issued a report. That report has been with the office of the Ontario Attorney General for the past five years. The Attorney General has also had 13 months to study my first victims' bill of rights, Bill 220, which I presented to the House in February 1989.

We must also acknowledge, however, that a limited number of programs have been established in certain municipalities in Ontario that do provide specific services to victims of crime. I am informed that the London family violence program is an excellent example. But there is no systematic, province-wide program that both informs and supports victims and nothing in law that ensures that victims are entitled to such programs.

#### 1010

Services such as rape crisis centres and other victim help groups receive some funding from government, but a great deal of their time is spent guiding and supporting victims through a justice system that places their needs after the needs of our courts and after the care and rehabilitation of the perpetrators of crime.

Crown attorneys view illegal acts as crimes against society and not necessarily against the individual victim. This view, however, can blind one to the sight of the faces of victims who are left in situations of prolonged suffering, of continuing victimization and with less assistance and support than that accorded the criminals at taxpayers' expense.

Let us consider for a moment that more than 250,000 Ontario residents will be victims of crime this year. Every day in the newspapers we read about these victims. In the media they are portrayed as the wronged, as the key players in courtroom dramas, and so often become unwilling celebrities in cases which publicize widely their private suffering.

Victims, however, are not accorded the same play in the legal process. Carole Cameron, president of Victims of Violence, a national group based in Ontario, informed me of a case in which the mother of a murder victim in Welland learned about the trial of the case two weeks after it was over. She heard about it from a friend who read about it in the newspaper. Neither the police nor the crown attorney had bothered to contact the mother since the arrest of the accused.

The bill which we have before us today would serve as an important corrective to incidents such as that one. Bill 113 would require that victims receive information about the cases they are involved with, including the dates established for bail hearings for their assailants, including when and how present victims' impact statements are made.

I was informed of another case involving a family in which three children were victims of incest; they were sexually assaulted by their father for over six years. As adults they decided, not lightly, to press charges against their father. When they went to the police station, they were simply told to sit down at a typewriter and make their statement, without being previously informed that this would be the basis for their case in court.

These examples demonstrate why victims feel that they are the ones on trial. They feel that our justice system applies to them the reverse of the legal procedure reserved to the accused. Victims feel punished by that system as if it were they, and not their assailants, who had broken societal norms of conduct.

Pauline Duffet of the Ontario Coalition of Rape Crisis Centres has told me that the majority of women do not report their rape or assault because they do not think they will be believed. Bill 113 would redirect attitudes of our judicial system and also of society towards victims who for obvious reasons are unable to articulate their own pain without the kind of support available to them in this bill.

As I indicated earlier, Ontario and Alberta do not recognize in law the rights of crime victims. I know that all members of this House would agree with me that victims deserve justice, respect, compassion and supportive understanding from our society. That is what Bill 113 is about: ensuring that victims of crime are no longer the secondary and, therefore, somehow less important focus of our legal and social service support systems.

Many elements of this bill come from a statement of basic principles of justice for victims of crime that was agreed to by the federal, provincial and territorial justice ministers in March 1988. Ontario's Attorney General participated in those discussions.

We are pleased with the federal government initiative, Bill C-89, and Bill 113 complements that bill. It would establish in law the right of a victim to be treated with dignity and compassion. It would entrench in law the victim's right to social services, health care, medical treatment and counselling. The bill would make easier and more immediate access to such services for victims a priority for our justice system. As such, the bill assumes a definition of justice in terms of a balance between victim rehabilitation and criminal prosecution.

Victims should have the right to be informed by the police of the progress of their investigations relating to their cases and of laying charges in connection with them. Victims should be routinely informed by police of the protection available to them to prevent unlawful intimidation. All members should be aware of a program that has been established in Quebec since 1983, called Infovac. That is exactly what Bill 113 calls for our government to do.

Bill 113 would also establish the right of victims to be informed by the crown attorney of their role in prosecution, of court procedures and of the outcome of all proceedings. It would establish the right of victims to make presentations to the prosecuting crown attorney before plea bargaining, before sentencing and before interim release.

Under this bill, and upon request, victims of sexual assault would have the right to be interviewed by a police officer of the same gender.

In terms of compensation to victims, this bill would make offenders directly liable for damages to their victims as plaintiffs in any civil action, including those undertaken for emotional distress and bodily harm.

Victims of crime in Ontario deserve the best care and support that society can offer. Therefore, on behalf of the victims of crime, I ask all members to join with me in passing the bill of rights for victims of crime in Ontario.

Miss Nicholas: I am really pleased to have an opportunity to speak on Bill 113, presented by the member for Burlington South, and I would like to express my support in principle for the bill today. I think it is important that we recognize that

victims of crime, whether that be through sexual assault, robbery or violence, need to have some treatment and attention and not just be the forgotten souls in a criminal activity.

The Ministry of the Solicitor General has undertaken a number of initiatives that do give attention to the victims of crime. While we can always do more, I think maybe I will just point out a few initiatives that have been undertaken to show that there has been more movement to the attention of victims of crime in recent years.

I look at Bill 113. Paragraph 1 of section 2 reads, "Victims should be treated with courtesy, compassion and respect for their personal dignity and privacy." I think that is very important, the courtesy and compassion. Recently, the Solicitor General introduced the new Police Services Act. In the preamble, which states about five principles of police services in Ontario, one of them specifically gives recognition to victims of crime. It stresses "the importance of respect for victims of crime and understanding of their needs." I think this reflects a major shift in attitude which is focusing more and more needed attention on the range of support services that are required by victims of crime.

The Police Services Act not only establishes the principle of respect for and understanding of victims' needs; it also establishes the practice. I think this is something we really had to look at and I am glad that the Police Services Act has. It makes victim assistance explicitly included among the responsibilities of our police officers. It is a major step forward in reaching out to those who have been subjected to crime and violence. So I think that the Police Services Act in its own way has addressed paragraph 1 of section 2 of Bill 113 from the police perspective. I am glad to say that the Solicitor General has undertaken that.

Another paragraph in Bill 113, paragraph 3 of section 1, reads: "Victims should have access to social services, health care and medical treatment, counselling and legal assistance responsive to their needs." In this regard, I think we are aware of the Solicitor General's increased funding to sexual assault centres; it has been increased to \$1.8 million over the next three years. That represents a 300 per cent increase over the last year to sexual assault centres. The major service in the sexual assault centres is providing counselling. It has short-term emergency counselling and long-term counselling within a social and mental health context. The sexual assault centres were saying they did not have enough money to provide all the services they had a mandate for. I think that this increased funding will go a long way to ensuring that not only are they a home that victims can run to to find emergency shelter, but that victims will also get the counselling that is needed as victims of crime.

Another activity which the Solicitor General has been undertaking is operating a pilot test project, a 24-hour volunteer base service to assist police officers to help victims of crime. This is known as the victim crisis assistance and referral service or VCARS for short. This program is providing victims with emotional support, the practical assistance and the referrals to other services they need to cope with the consequences of a criminal act. It can be as varied as it needs to be. It can be counselling, it can be sitting with you, escorting you to something you may have to attend, it may be helping you with how to provide evidence in court. They may talk to you about the system. They may tell you, if you have been a victim of a robbery, how to get clothes or to get items back in your house to help you try to resume your life as quickly as possible in a normal way.

#### 1020

It is a very important program. It is an excellent example of the police and community working together to meet a common concern, and that is looking after victims of crime.

There is an evaluation under way because this pilot project is only in a few centres at the time. I think that all accounts are that it has been a very profitable program for all. The VCARS program has been very helpful, and I think that this evaluation will go a long way in helping us determine what we should do in the future with similar programs across Ontario.

In the act—Bill 113; to the member for Burlington South, I am already calling it an act, if that is any indication—Bill 113 asks that victims be informed of the progress of investigations that relate to their crime. It is not common practice currently for police officers to keep victims of crime abreast of the investigation or whether charges are laid, and that is something, certainly, that this bill requires. I should, however, mention that information is not kept from the victim in most cases. If the victim does call up and ask how the investigation is going or whether charges have been laid, this information is readily available, but it does put the onus on the victim to call the police officers. It is not a practice of police, but it is available if requested. I think that it is there, and it is open to people.

I think there are a number of other things that have been done in the Ministry of the Solicitor General. I think they address a great number of the specific sections outlined in Bill 113, but I did want to bring to the members' attention the Police Services Act and the move towards the needs of victims of crime; the increased funding to sexual assault centres so that counselling can be a very important part of the service that they provide, and VCARS, the victims of crime assistance referral service. I think also that the police are being sensitized to the needs of the victims of crime.

I commend the member for Bill 113, and I am pleased today to have an opportunity to state my views on it.

Mr Kormos: We too congratulate the member for Burlington South for his initiative in presenting this bill, and we will be supporting it at this point, second reading, and looking forward to its referral to committee. Indeed, it provides for a great deal of consideration and discussion and perhaps even expansion.

I can tell members that having practised criminal law, primarily in Niagara, for the last decade, the judicial districts of Niagara North and Niagara South are particularly fortunate, policed by a police force which indeed on its own initiative has demonstrated sensitivity to victims, fought with restraints in terms of budgets and time and the person power available to it and has overcome, to a large extent, the difficulties, the burden, generated by those restraints; overcome them and, on its own initiative, as I have said, conducted itself in a way that very much resembles the content of this particular piece of legislation.

Similarly, the crown attorney's office, in both Niagara North and Niagara South, has demonstrated a particular sensitivity to the needs of victims in both judicial districts in Niagara. As often as they can be, indeed, victims are consulted and given an opportunity to speak with the crown attorney when it comes time to sentence an accused. The matter of the presence of victim impact statements has become commonplace, as I say, not as a result of legislative requirement but as a result of the concern, sympathy, empathy and attentiveness of the crown's office and its personnel and of the police force in Niagara and its personnel.

Similarly, during the course of interim release considerations and the position that a crown ought to take on the occasion of a judicial interim release hearing, victims are, as often as they can be, consulted, and their opinions are put to the courts.

All of this, as well, must take into consideration the role that members of the bench have taken in Niagara. They too have demonstrated an eagerness and a willingness to include the consideration of victims in disposition of matters, and they have displayed a sensitivity to the needs and the rights of victims in the course of conducting trials, in the course of considering judicial interim release of accused persons and in the course of sentencing.

But that is, as I say, based on the desire of these components of the criminal justice system to pay heed or give effect to what they perceive as an interest that victims have in the course of that criminal justice system, and it is not as a result of legislative fiat. It is important that victims of crime can know that they are not going to be subjected to the whim of an institution as to whether or not they are involved in the process; that indeed they have a right to be involved in that process.

It is important for victims to know and understand that it is not a matter of being extended a mere courtesy when they are regarded in a particular light, but it is a matter of having a right to be regarded in that particular way.

We have some concern because the principles expressed in section 2 of the bill indicating that victims should be informed by the police of the progress of investigations and the charges laid and, if no charges are laid, the reasons why no charges are laid—indeed, it is important that victims be allowed at least that. The sad reality is that police forces, and certainly police forces like those in Niagara region, are without the person power, without the resources and without the financial support necessary for them to fulfil this type of obligation completely. Indeed, had they been funded and supported with resources in a way that was necessary to give full effect to their role as understanding, compassionate and hardworking police officers, the member for Burlington South may not have felt compelled to include subsection 2(4) of this particular bill, the one that requires that victims be informed by the police.

It is important that when this bill is passed as law, resources be made available to police forces in Niagara and elsewhere in Ontario to ensure that this right will be one not just stated but one that is a reality for victims.

Similarly with subsection 5. Victims should be informed by the prosecuting crown attorney of, among other things, the victim's role in the prosecution, court procedures, dates and places of all proceedings and the outcome.

Crown attorneys and crown attorneys' offices are overburdened with case loads that are just overwhelming. They too need the resources to be made available to them to ensure their role in advising victims of rights that they have in the course of a matter through the criminal justice system. Again, the province should pay more than mere lipservice to the matter of victims' rights and make sure that not only are they contained in statute but given effect in reality by virtue of proper funding and proper resources being given to the municipalities, upon whom these obligations will fall when this bill becomes law.

I want to talk a very little bit about section 3 of the bill. Section 3 talks about certain presumptions being made in the event of civil proceedings. Section 3, in my view, is a particularly important one because, once again, it endorses what we know is already a right of a victim to seek redress in civil litigation against a wrongdoer. What it does in part is encode

what courts have been told by appellate courts in this province for some time now, and that is to say that the victims of sexual assault, by the very nature of that offence—sentencing judges in this province have been told that judicial notice can be taken of the fact that a victim of a sexual assault has suffered emotional trauma. It is absurd to think anything else.

If the victim of assault is or was a spouse of the assailant—once again, it is absurd to suggest that the victim of that type of assault could not be suffering, at the very least, emotional pain as a result of being victimized in that particular way. It is trite to suggest that it be stated in such a way that the victim is not required to have to prove that emotional pain and that emotional suffering, among other things, in the course of civil litigation.

#### 1030

I would be pleased to see this group of offences expanded. As often as not, victims of break-and-enters tend to be senior citizens. Senior citizens are regarded by the types of persons who would engage in break-and-enters as being more defenceless, more vulnerable. As often as not, they are living either alone or as a mature senior couple without children living in their home. What that means is that their home has fewer people coming and going to it and from it.

As well, as senior citizens, because of the fact that they tend to be retired, they have available to them lengthy periods of time to take vacations. So as I say, it is not uncommon for police or people involved in the criminal justice system to see seniors particularly victimized by those thugs in our community who would break into and enter people's homes.

Interjection.

Mr Kormos: Can you call it any other way? Come on, Mr Speaker. We are talking about a violation of someone's home, which is as significant as a violation of his or her person. I say that not to diminish the one but to tell you that I would be very interested in, and I am sure the member for Burlington South would be pleased to engage in a dialogue to lead to an inclusion of, let's say, break-and-enter of a dwelling house as being among those crimes for which it is not necessary for a victim to establish suffering, pain, damage.

The sad thing about that proposition is that I suspect there is hardly a family in this province that has not been affected either directly or indirectly. If they themselves have not been the victim of a crime, a family member or a close friend or a neighbour probably has been.

When the crime is sexual assault or spousal assault or an attempted sexual assault, the pain, the trauma is so self-evident, but it is equally present in the case of break-and-enters. As I say, as often as not, it is a senior who comes home to find a house in complete disarray, in shambles; items missing which have no real financial value to the thief but which are irreplaceable for the victim; items of sentimental value, photographs, jewellery, wedding rings, engagement rings. These are things which will inevitably be dumped into a stream somewhere or will be hawked or pawned for the smallest amount of money; things that are, as I say, irreplaceable.

So I should be pleased, and I am sure the other members of this Legislature would be pleased, for there to be a consideration of some other types of crimes included among those crimes for which it would not be necessary for a person seeking compensation to have to prove damage, to have to prove emotional trauma, emotional injury. Again, it is in no way suggesting that there be a diminishment of the impact of sexual assault or at-

tempted sexual assault or even, indeed, spousal assault on its

The whole role of compensation for victims is, sadly, inadequately dealt with by current legislation. The Compensation for Victims of Crime Act—and of course this has been mentioned time and time again—requires that the application be made within one year after the date of the injury or the death. Well, that is absurd, particularly now when we are confronted here in the province of Ontario with the scenario which is currently being investigated and, sadly, not through the course of a public inquiry conducted by the government. Of course, I am speaking of the St Joseph's Training School for Boys investigation being conducted by the Ontario Provincial Police.

We are talking about sexual assaults and other assaults that took place on young boys as far back as the 1950s and the 1960s, a school that has been closed down, as I understand it, since 1974. We are talking about an investigation that took place in 1960 in which the allegations of sexual assault and physical violence on young boys were confirmed by the government of the day, yet not a single charge was laid. Those young people, now adults in their forties and fifties, have not even enjoyed the decency of having been acknowledged as being victims. They have lived with suffering and with pain and with scarring that is undeniable, yet they have not even been extended the courtesy, the basic decency of being acknowledged as victims.

Those victims of sexual assault at St Joseph's are not entitled to compensation under the Criminal Injuries Compensation Board. Their one-year limitation period is long, long past. There is a government, however, that acknowledged and confirmed the violence imposed upon them, and for that the government has to accept some responsibility because that same government, the government of Ontario, suppressed that information, buried it, engaged in a coverup, engaged in a whitewashing that is obscene.

As I say once again, it is important not only that this legislation be enacted to establish the rights of victims but as well that there be consideration of an extension of limitation periods so that victims more than one year after the fact, or five or six years after the fact, depending upon the type of offence, can similarly engage in litigation, because as often as not, particularly in cases of incest, we may well be dealing with scenarios wherein an acknowledgement by the victim of having been the victim of a crime does not occur until after an extended period of time.

None the less, we applaud this legislation. It is long overdue. It is important that it be pursued diligently by the government; that is to say, that it not be the subject of being set aside and put on the back burner and not be the subject of the types of delays that this government is notorious for when it comes to important legislation. It is important that victims across Ontario be told that there is an acknowledgement of their pain and that there is an acknowledgement of the individual responsibility of criminals; that is to say, that once a criminal has paid his or her price to the state, has served a jail sentence or paid a fine, his or her crime against the state has been absolved, if you will.

But the indignity and the pain and the injury inflicted on the victim are not dealt with in criminal courts. There is room for it, there is need for an expansion of the consideration of compensation for victims, but there is also an acknowledgement here that the process of engaging in civil litigation against wrongdoers should be made easier, should be made more accessible to victims and indeed should be one which perhaps should be pursued more frequently, because perhaps the more impor-

tant wrong to be righted is not the wrong against the state but the wrong against the individual, whom the criminal justice system so often inadequately considers.

Mr J. M. Johnson: I rise to support the bill presented by my colleague the member for Burlington South and to commend him on an excellent proposal to solve some of the problems that the victims of crime have in our society.

The member has stated quite clearly many of the principles involved in the bill so I will not be repetitious of him, but I think it is appropriate at this time possibly to bring to the attention of this House a resolution that I presented on 17 November 1988. I would like to just read that resolution in this House:

"That...the Attorney General should review the Compensation for Victims of Crime Act to determine whether that legislation is adequate to meet the needs and redress the losses of victims. Such a review should take into account recommendations made by the standing committee on the Ombudsman; the standing committee on procedural affairs; and the areas identified by the past chairman of the Criminal Injuries Compensation Board as requiring special attention."

It might be needed for clarification that this resolution did receive the unanimous support of the House at that time, but I am very sorry to say that the Attorney General did not accept my excellent advice that a review should be conducted to determine if changes are needed. I think that review is needed much more today than even at that point in time.

I might just mention one example of why I say that. I will make reference to an article appearing in the Toronto Star dated 9 August 1989, "Murdered Girl's Mother Fights for Compensation." This is a lady by the name of Sandra Carmen, a 42-year-old lady whose 14-year-old daughter was murdered near Owen Sound in March 1987. This occurred just a few miles from my home, just a little north, and I was very personally concerned by it.

#### 1040

Mrs Carmen makes a few comments that reflect the concern that I have, and I will quote a couple of the paragraphs.

"Society spends countless thousands rehabilitating murderers, but turns its back on the relatives of their victims, the mother of the slain teenager says.

"My life sentence is really a life sentence,' said Sandra Carmen, 42, whose 14-year-old daughter was murdered near Owen Sound in March of 1987." She goes on to say: "I have no desire to see people who are convicted of crimes denied their rights. I just want to see a little more equity in the way victims are treated."

"Carmen is appealing the Criminal Injuries Compensation Board's refusal to compensate her for the income and career loss she suffered because of the trauma she suffered after her daughter's death." Her daughter was killed by two shotgun blasts. Her semiclad body was found dumped in a ditch and she had been sexually assaulted. She got nothing but a little bit of sympathy, which is not really satisfactory.

"Carmen has received a cheque from the board for \$829.13 to cover the costs of her daughter's funeral. She returned it."

Just by way of determining the justice of that decision, I checked with a couple of funeral parlours in the immediate vicinity. One funeral home quoted an average funeral cost of \$3,500. Another said a respectable funeral cost \$3,200. I was very disillusioned with what \$829.13 would buy.

Carmen has suffered from severe depression, she has quit her job, she has moved. She requires therapy once a week. She asked for some consideration, some justice and has received very little, if any.

Another article that disturbed me greatly appears in the Globe and Mail, 30 March 1990, just recently, by Sean Fine, the Globe and Mail reporter. "A man accused of fatally shooting a baby boy was released on \$5,000 bail with the prosecution's consent because he is not considered a danger to society." A crown attorney involved in the case suggested that it was not a problem.

This disturbs me greatly. Someone charged with first degree murder is free on bail. I do not want to get into the legal ramifications of such a procedural affair, but I would suggest that if we allow easy bail and we allow people like this to be released without any consideration of the problems that could occur—I would concede that if society allows this, then society has a right to make certain that if any innocent person suffers because of this early release, then we have a heavy responsibility to make sure that those innocent victims are truly compensated for what we in society consider a just decision. This bill presented by my colleague would go some way in solving that problem.

In closing, might I just leave the members with one major thought. If we want a more tolerant, caring society, a society that supports rehabilitation of our criminals and does not seek vengeance and punishment of these people, then one way to attain that goal would be to make certain that innocent victims of these criminals are treated in a very fair and compassionate way.

Mr Fleet: First, I would like to congratulate the member for Burlington South for bringing forward Bill 113. It is a bill which I support, and in particular I want to emphasize support for the intent and the opportunity that this provides.

There are two particular benefits to having the bill come forward at this time. First, it reminds us that victims of crime must never become victims secondarily, or victims all over again, while in the criminal justice process. The second benefit of having the bill come forward at this time is that it provides me with an opportunity to reiterate the very real and substantial commitment that this government has made to address issues pertaining to victims of crime, and particularly female victims of crime, for almost five years. So I am pleased that the member has now brought forward this bill.

There are some problems with the drafting of the bill. I do not want to go into those in any great detail, but I will refer to some of them as we go along, to indicate as well why the Ontario government has been so committed in providing services and the real and substantial allocation of financial and human resources to assisting female victims of crime.

We have spent in the last year some \$41 million on the Ontario joint family violence initiatives, which involve some 23 different programs and services. Of the \$41 million, \$35 million has been spent on direct shelter and support services for abused women and children. In addition, another \$3 million was spent providing financial support for enforcement initiatives. These were introduced as new initiatives starting in 1986. Then again, in January of this year, the Minister without Portfolio responsible for women's issues issued a new set of announcements dealing with the very specific needs of sexual assault victims, and that is \$28.8 million in new funds over five years. During the fiscal year we have just entered, the expenditure will be some \$6.6 million.

I would like to just touch quickly, in the time that is available to me, on the kinds of programs to give a sense of the range of activities that the government has addressed. There is

the victim/witness assistance program. It is operated through the Ministry of the Attorney General. It is a pilot program with 12 sites across the province to support victims as they are dealing with the criminal court system. We have, in addition, particular training that has been provided to police and crown attorneys, as well as correctional staff and probation officers, to try to deal with the issues of victim services to sensitize all of the people in the system to the very real problems facing, in particular, female victims of violence.

There are a number of areas in the bill which have been proposed by the member for Burlington South that deal with the sensitivity that is important to recognize the needs of victims as they are being dealt with and are impinged upon in the system, and particularly the right that victims do have to be treated with courtesy, dignity, compassion and respect. That is exactly what the emphasis is already, what we are doing and will continue to do, and I am pleased that this bill highlights that important consideration.

In addition, there is the victim crisis assistance and referral service operated by the Ministry of the Solicitor General. That provides assistance particularly involving some volunteer counsellors. It too is on a pilot project basis, because we are interested in making sure that we are as effective as possible in delivering services.

There has been additional support to crown attorneys to allow for specialized case preparation in cases of wife assault and sexual assault, and it allows for a much more complete consultation with victims of domestic violence and sexual assault. From my personal experience as a lawyer in the system, I can tell the House that is exactly what takes place. There is greater sensitivity and it has had a real benefit for victims.

There has also been the revision of the sexual assault forensic evidence kit, and that has been undertaken with the Solicitor General's office with various community groups. That is on the verge of being completed, I understand, and there is going to be further training of police and hospital officials when that kit is distributed across the province.

In addition, there is the ability of women who have been abused to seek emergency legal aid certificates to get emergency legal advice for free.

#### 1050

These are just some of the programs and services that demonstrate that over the last five years this government has been particularly sensitive to the very specific needs of female victims of violence. I would also like to emphasize the degree of commitment of financial resources. In the current fiscal year it is going to be something approaching \$50 million. That is a really significant allocation of resources, and in the final analysis that is the most important benchmark of commitment of a government.

The way the bill is set out, it provides for the most part a set of what really amounts to policy guidelines. I am going to touch on a few of the concerns of the Ministry of the Attorney General in that respect, because for the most part those are being done on an ongoing basis. I have referred to some of those things already.

One of the other things I noticed on my own, in terms of reading through the bill, is the definition of "victim." Some might argue that the definition in the bill is too narrow. It deals only with the Criminal Code, and one might ask whether other kinds of provincial offences might be appropriate to consider to include victims. I say that not to criticize what is there now, but

to consider whether in the subsequent consideration of this bill it ought to be expanded.

In addition, though, the heart of the problem with the bill comes on the question of enforcement of so-called principles—in effect, policy guidelines that the bill sets out—that the bill does not have any additional provision to enforce. There is a danger that victims would feel there is a benefit in law that is not really enforceable, and that has a deleterious effect on the administration of justice and in effect on the position they have as victims. It is important that we provide resources and that there not be any sense that victims have that the system is promising something that cannot be delivered.

I know as well that the Attorney General's office is concerned about a perception that might be gathered in this respect about the function of a crown prosecutor, a crown attorney or an assistant crown attorney. They are not in the exact same role as a lawyer for the victim, nor can they be, and the reason is that the crown attorneys do carry out a quasi-judicial function, a certain element of impartiality—they have special access to the police—and there is a difference. But they do have to be sensitive to the concerns of victims and that is exactly what the existing guidelines deal with. It also bespeaks the fact that this probably would require amendments to the Criminal Code, which falls under federal jurisdiction.

But again I congratulate the member. I think it is important that we emphasize the needs of victims, as I have touched on. I would like to be able to go on at greater length. Time does not allow, but I would like to thank the members for this opportunity on this occasion.

Mr Runciman: I would like to put few comments on the record in support of the bill of the member for Burlington South before the House today and to indicate my strong support for it, but also to acknowledge his leadership, not only in our caucus but I think throughout the province with respect to victims' rights. Certainly my colleagues in the Progressive Conservative caucus are very much aware of the member's very strong feelings in this area and I think this bill is indicative of how he feels and we feel. I am sure it is the sentiment in the House today that the members of the Legislature feel this is the kind of initiative that is long overdue.

I have had some personal problems related to the lack of victims' rights in my own riding. They do not tie in directly with this legislation, but I think that if this kind of legislation is adopted in the province it could have an impact on the thinking of others dealing with victims and perpetrators of crime.

I am thinking specifically of those individuals confined to forensic units in psychiatric hospitals who have committed violent crimes but are found not guilty by reason of insanity. There was a situation in my own riding recently where a gentleman who had been found responsible for the brutal murder of a nine-year-old boy in Toronto back in 1971, the sexual assault and mutilation of that child, was confined to Penetanguishene, and then some 15 years later was released into the community and committed another violent crime. Fortunately the victim in that instance was able to fight off the attack, but this gentleman has once again been found not guilty by reason of insanity and is going before a review board to find out just where he will be directed for the remainder of his life.

I want to say that the mother of the nine-year-old boy who was murdered in Toronto, Carol Ann Deasley—her son Kirkland—has been refused, at every turn, the opportunity to present her case, her views, her feelings and those of her family to the review board. This is someone who has suffered through many years following the brutal murder of her son. The people

who are charged with the responsibility of this individual, the gentleman—I could not call him a gentleman—John Finlayson, who committed the murder, allowed him out on to the street once again and do not wish to listen to Mrs Deasley and her concerns about this individual.

The judge who chairs the mental health review board—I cannot recall his name—was called by a reporter recently to see if Mrs Deasley could present herself before the review board hearing and provide a victim impact statement. The judge said: "We don't want to listen to any of that emotional stuff. We don't want to hear that kind of thing. We want to hear the facts. None of that emotional stuff."

That is indicative of the thinking of too many folks in officialdom, if you will, in this province. I think that we have to start, as my colleague's bill says and what he has said earlier in his opening comments, paying more attention and expressing more concern towards victims of crime in this province.

We talk about an individual being incarcerated at significant expense to the taxpayers, but we also see individuals like Mr Finlayson receiving extensive psychiatric and psychological treatment and assessment. But we have a victim like Mrs Deasley, who has to be concerned about this individual getting out on to the street, not being aware of when he is out in the community. What kind of trauma has she had to suffer throughout her life? What kind of psychological or psychiatric care has been made available to her by the state to deal with the kinds of difficult circumstances that she has had to face throughout these many years?

I am indeed very sympathetic. It has perhaps been mentioned earlier that many are concerned that Ontario, in terms of major jurisdictions, is the only jurisdiction in North America that has not passed legislation like this that would recognize the rights of and assistance for victims of crime.

In a letter to Mr Jackson, Irvin Waller, who is a professor of criminology, indicates that surely Ontarians can have justice for all, even for the victim. I think all of us, as indicated by the debate here today, share that view. It is long overdue, and once again I want to put my commendation on the record for the member for Burlington South for not only this initiative, but his ongoing battle on behalf of victims of crime in the province of Ontario.

Mr Jackson: I appreciate the comments of all members of the House today regarding this bill. I guess they have come to the same conclusion that I have over the years, that to know and understand what victims go through in the province of Ontario is to know anger, to know frustration. When we, as legislators, come to that awareness and understanding, we are impelled to respond with legislation and that is what I have done with this bill.

It is a response to hundreds of cases that have been brought to my attention through my work as women's issues advocate for the Progressive Conservative Party of Ontario, by being advised by my visitations to rape crisis centres, to shelters for battered women, to understand the evolution of these services in Ontario. They did not come freely and easily from legislators. They were fought for because of the dignity that victims felt for their rights and for their cause.

Just as the evolution of rape crisis centres was a response to a need to help victims and as shelters were established in response to victims' needs, we are now seeing today a further advancement of that agenda with the rights of victims to be more entrenched in our judicial codes so that they can expect a certain level of support, information, understanding, awareness from our crown attorneys and the court system, and from our

police, who are doing a good job but in fact could be doing a much better job when it comes to the treatment of victims.

#### 1100

I want to thank several members of the House for their comments. The member for Scarborough Centre, in her support for the bill, also indicated that she was very proud of her government's initiative, as we all are, of increased funding for sexual assault centres. But she should be reminded that the centre in Hamilton, for example, still has over a year and a half's waiting list for incest survivors in order to get counselling services. That is too long a time frame to wait to live with your own victim's circumstances without the support services that a victim deserves in this province. So those waiting lists are chronic and they continue in virtually every part of our province.

I thank the member for Wellington. All members of this House supported his recommendations for a review of the Criminal Injuries Compensation Board. In a year and a half nothing has been done from the Attorney General's office to review the Compensation for Victims of Crime Act, and yet we have one of the lowest rates of access in all of Canada for women here in Ontario.

In spite of the positive announcement of the government to raise the maximum levels in this province, and I commend the Attorney General for that, we still have one of the lowest average awards in Ontario at around \$2,400. Case after case, these are presented to us. There is reference from the member for High Park-Swansea about expanding the scope of this bill and I encourage him to participate, as I know he will when—if this bill is passed today—it is referred to the justice committee. Then we will have opportunities to examine at first hand some of the concerns and incidents that we see occurring for victims, which we as legislators find intolerable.

I would like to thank my colleague the member for Leeds-Grenville for his kind comments. I know that he has, inside my caucus as well, been very active on the issues involving victims' rights in this province.

I want to thank all members of the House for their participation in this debate. For me personally it is the summation of about two and a half years' work listening to victims' rights groups and to women's associations. It was through that understanding that I developed this bill. To achieve that objective, I wrote to over 100 countries around the world and received back considerable information on their bills of rights, and I used that as an amalgam to establish this bill and added some rather unique Ontario-based resolutions inside the bill.

I want to thank the assistance and co-operation of people like Mary Lou Fassal of the Barbra Schlifer Commemorative Clinic, Pauline Duffett of the Ontario Rape Crisis Coalition, Trudy Don of the Ontario Association of Interval and Transition Houses, Carole Cameron of the Victims of Violence National Inc, Pat Marshall of Metrac, and Professor Irvin Waller of the University of Ottawa. I would also like to thank my assistants, Guy Giorno and Alex Roman for their work.

I want to thank the hundreds of victims who have taken the time to inform all members of this House of the importance of this bill. Without their teaching us how to listen, we would never have really heard them, would never have understood their cries for justice and compassion.

Finally, I would like to thank the members of this House who have set aside their partisan views to support this bill and whose basic compassion has led them to a common conclusion that victims of crime in this province deserve and will obtain

one of the most progressive and caring victims' rights bills in Canada.

# REPRESENTATION AMENDMENT ACT, 1990

Mr MacDonald moved second reading of Bill 115, An Act to amend the Representation Act, 1986.

Mr MacDonald: It is my pleasure to stand in the House today for debate on second reading of Bill 115, An Act to amend the Representation Act, 1986.

I would like to bring the House up to date on the background of the electoral district of Prince Edward-Lennox.

In 1975 the electoral district of Hastings was abolished and the electoral district of Hastings-Peterborough was created. Then 1986 saw part of Hastings county transferred from Hastings-Peterborough to Prince Edward-Lennox. These areas included the town of Deseronto, the township of Thurlow, the township of Tyendinaga and the Tyendinaga reserve.

The electoral district of Prince Edward-Lennox, originally established in 1933, is now composed of portions of the county of Hastings, portions of the county of Lennox and Addington and the complete county of Prince Edward.

Lennox and Addington county, in addition to its agricultural and historical strengths, has realized substantial economic growth in recent years. With an announcement in May 1988 the Goodyear tire plant was located outside the town of Napanee in the township of Richmond. The plant, now in phase 1, operating with 350 employees, expects the first tire to be produced this month. With the Goodyear location announcement, local spinoff has been realized in many forms including real estate and economic benefits. A generating plant in Bath also contributes to the local economy.

To the west, Prince Edward county can boast of strength in agriculture, tourism and small business, in addition to a major cement plant industry. The nucleus of the county, the town of Picton, draws tourists from across the province to stroll the quaint streets, to browse in the unique shops and to bask in the sun of the nearby stretches of white sand beach of the Sandbanks Provincial Park.

I would like to turn my focus today, however, on the history of the portion of Hastings county located in Prince Edward-Lennox. This area of the riding has a population of approximately 13,000, representing 22 per cent of the population of my riding.

Mohawk Track 55, the Simcoe Deed, now known as the Mohawks of the Bay of Quinte, covers 17,000 acres in Tyendinaga township. Population of the reserve has risen from 1,400 in 1985 to 2,000 in 1989. Although classified as a midsized reserve, the Mohawks of the Bay of Quinte have become the most heavily impacted reserve in Canada. This is due to the federal Bill C-31 which governs status and non-status Indians.

Located in this area is the home of the First Nations Technical Institute, a non-profit, seven-member board institution funded from all levels of government. Just this past October the institute introduced a new aviation technology program.

Each year in May, Mohawk Sunday, a memorial service in honour of the re-enactment of the 1784 landing, is held. Natives adorned in their ceremonial head-dress, carrying their Queen Anne communion silver, brought from Mohawk Valley, pull to shore in canoes to complete their ceremonial service. I have had the honour of attending this ceremony in the past and was deeply moved by the historical significance of this event.

#### 1110

Tyendinaga township itself was created out of lands surrendered to the crown by the Mohawks of Tyendinaga reserve in 1820. The early 1800s saw many men employed in the lumbering trade. Today the major focuses in the township are agriculture and aggregate resources. It has a great many gravel pits in that particular area. As I have said many times, we do not have all good land down in Prince Edward-Lennox. A lot of it is very shallow.

Deseronto, incorporated as a town on 7 January 1889, celebrated its 100th anniversary last year with a number of special events recognizing this memorable day. In addition to the celebrations, last year also saw the initiation of a community resource centre to co-ordinate social services for Deseronto and the area. Among other businesses, Deseronto hosts a marine yard and a woodworking business established in 1944, still owned and operated by the same family.

To the west, with its nine concessions first surveyed in 1787, lies the township of Thurlow, bordered by the city of Belleville to the south. Thurlow has good reason to be proud of its agricultural background. Many fine dairy farms are located across the township. Thurlow may also easily boast of its cheese factories, cement plant, distillery and a family-owned mill in operation since the purchase in 1857.

A large majority of Thurlow residents are employed in nearby Belleville, a city of continuous economic growth. Thurlow itself is expanding and has high potential for future economic growth, which by every indication will be realized in the near future.

During my campaign for election in the fall of 1987, I spent a good portion of my time in the town of Deseronto and the townships of Thurlow and Tyendinaga. The people of this area are grass-roots people, people who are politically minded, people who keep abreast of all the issues locally, provincially and federally.

Whether attending an information meeting, bringing greetings at an official opening, enjoying a sports event or having the honour of presenting a scroll from our province, the people of South Hastings have been warm and open with me, expressing their concerns and views on various topics. One message has been predominant: the desire for South Hastings' residents to be recognized by incorporating their geographical area into the riding of Prince Edward-Lennox.

I wish to emphasize to the House today that I strongly support the views of South Hastings' people. To change the riding name to Prince Edward-Lennox-South Hastings would give fair recognition to these people who feel they are not properly identified.

I am proud to represent the people of Deseronto, Thurlow and Tyendinaga and this is why I rise in the House today to change the riding name to Prince Edward-Lennox-South Hastings.

Mr Pollock: I am pleased to take part in this debate too. I want to say to the member for Prince Edward-Lennox that I appreciate his comments and I want to make the House aware that I will certainly be supporting Bill 115, changing the name from Prince Edward-Lennox to Prince Edward-Lennox-South Hastings

I would not really have any problem with just changing the name from Prince Edward-Lennox to Prince Edward-Lennox-Hastings either. I have talked to people from that area and they seem to be of the same mind. They really do not care whether it is South Hastings or Hastings, just as long as the name Hastings

is in there, because after all this should have been done back in 1986 when the riding boundaries were changed.

If we were to hold up this bill for any length of time, I think it would be remiss, because the Ontario Electoral Boundaries Commission meets every 10 years. They last met in 1984 to decide to change the boundaries, so they will no doubt be meeting in 1994 to take another look at the boundaries. If we held this up for any particular time, we would be running into the next Ontario Electoral Boundaries Commission meeting.

Therefore I emphasize to the House that this bill should be passed. As I say, I have no problem with calling it Prince Edward-Lennox-Hastings or Prince Edward-Lennox-South Hastings.

As the member for Prince Edward-Lennox mentioned, this area used to be part of the riding of Hastings-Peterborough. There are approximately 12,000 people in the area. There are four municipalities: Thurlow, Tyendinaga, Deseronto and the Indian reserve.

I would like to put on the record that it was an honour for me to represent those people from that area here at Queen's Park for six years. I went to 4-H clubs with youngsters from that area, played ball in junior farmer tournaments with lads from that particular area and went to dances, and I also sat on Hastings county council with people from that area. These people are good solid citizens and believe in fair play.

It was not my idea that the boundaries be changed. They moved my riding farther west. I know that when I was a teenager there used to be such things as harvest excursions and people were saying, "Go west." When the Ontario Electoral Boundaries Commission actually moved my riding west, I really did not want to go. I was quite satisfied with my riding the way it was, but I really did not have any choice in the matter.

A few things I would like to talk about are some of the things that took place in that riding while I was a member. Shortly after the 1981 election, I got an invitation to attend the official sod-turning ceremonies for the Belleville and District Fish and Game Club. From those sod-turning ceremonies, they went on to build a building they can certainly be proud of. It will house approximately 400 people for a banquet. They have a games room. They have all kinds of parking there. That building received some Wintario funding. It is a credit to that area and I compliment the Belleville and District Fish and Game Club members for constructing that building.

They built a new senior citizens' complex in Foxboro. This allows the senior citizens from that particular area to remain in their local village. This senior citizens' complex has a homy atmosphere. I visit there on many occasions and the people seem to be happy and quite satisfied with the senior citizens' complex in Foxboro.

Highway 37 was paved all the way from Belleville right through to Roslin.

In Deseronto they had built a new arena before I became the member there, but I was able to reap some of the benefits of that because some of the teams from Deseronto went on to win all-Ontario championships and I attended all those banquets where they recognized teams from that area. Deseronto is quite the hockey town.

They also built a state-of-the-art filtration plant in Deseronto. They paved and they reconstructed many sewers and watermains in the town of Deseronto.

In the township of Tyendinaga they remodelled two recreation centres, one in Read and one in Melrose, and this was done with Wintario funding. They also built a new TVOntario tower in Tyendinaga. Of course the wheels started turning when I was

the member to build a new township garage in the township of Tyendinaga and this was officially opened in 1988. The honourable member for Prince Edward-Lennox was on hand at that particular time, and I appreciated the invitation from the township to join it on that special occasion.

#### 1120

I always made a point to attend the official landing of the Mohawks. This is a ceremony where the Mohawks come ashore in their canoes and they give thanks there. Then they carry their canoes across the road to a cairn and have another ceremony. Then they break up and go to their respective churches for their Sunday morning church services.

I have been at Mel Hill's house. He has a museum in one room of his house and he has a lot of Indian artefacts there. He also keeps the Queen Anne communion set there. This particular set has a lot of history behind it. It was given to the Mohawks of Mohawk Valley in New York state by Queen Anne back in 1711. At the time of the American War of Independence, the Mohawks of the Bay of Quinte decided to leave New York state and move to Canada. They could not bring this Queen Anne communion service with them because anything of any value was confiscated. So they buried it and went back at a time when there was less friction and dug it up and brought it to Canada, where it rightly should be.

They have a computer centre on the reserve. As far as I know, it is the only computer and technology centre for native students in any reserve across Canada. This is a credit to that particular reserve. I understand that reserve boasts of more post-secondary students than any reserve across Canada.

While I was there, one of the industries that moved into the area was Milliken carpet in Deseronto. They put out a good product and employ people in that particular area. They are good corporate citizens. Of course, Corby's in the township of Thurlow employs a lot of people and the new Sears plant is now in that area of Thurlow. It has been annexed by Belleville, but it used to be in that area of Thurlow which was a part of the provincial riding of Hastings-Peterborough.

Here are just some of the facts on this new Sears warehouse. It has four times the floor space of the Dome. It has roughly 25 acres of floor space. They estimate that when it is in full production, it will employ 1,500 to 1,700 people. It is a credit to the area. There is already a spinoff from Sears having moved into that particular area.

I just wanted to put a few of those things on record. As I say, I am going to be supporting Bill 115 because I believe this should have been done four years ago when the boundaries were changed.

Mr Keyes: I am also very pleased to speak in favour of Bill 115, as put forward by my honourable friend the member for Prince Edward-Lennox. Bill 115, An Act to amend the Representation Act, 1986, deals with renaming the electoral district of Prince Edward-Lennox to the electoral district of Prince Edward-Lennox-South Hastings.

There have been many instances in the past when representation acts were introduced to change the existing boundaries of ridings across the province. We have also witnessed and participated in commissions which were initiated to determine the number of electoral districts into which the province should be divided.

The Ontario Electoral Boundaries Commission, which operated from June 1983 until March 1986, had as its mandate the responsibility of ensuring that all the citizens of this province would receive proper representation as a result of its

recommendations and proposals, which of course it formulated after holding province-wide hearings.

There are indeed many similarities, when one discusses complete redistribution as undertaken by the Ontario Electoral Boundaries Commission, when we talk about the renaming of a riding as has been recommended by my honourable friend the member for Prince Edward-Lennox. That is what he is proposing today and that is what I support.

I want to say to members of this House that perhaps the most important factor that we must realize today is that, as legislators, we are accountable to the constituents we serve. In order to be effective parliamentarians we must ensure that our communities receive the recognition they deserve and that they have access to their member, that they feel they are a part of that particular riding; and of course access to their member so that their concerns and their views can be readily communicated not only to this House, but to the respective standing committees of the House and to the ministries with which one has desire to work.

Through the renaming of the particular riding in question, the request to name it Prince Edward-Lennox-South Hastings, the citizens residing in South Hastings, the portion that has had the honour of representation by the member for Prince Edward-Lennox but not in name within the naming of the district, will feel a much deeper sense of belonging if it forms part of their name. It is this feeling of fair recognition and representation that should guide our deliberation today and the full support of this House.

In making a comparison to the honourable member's request for renaming, I just want to go back to some historical data, to refer to other occasions in this House when members from all parties have made similar requests for change of names of their riding. I want to refer to some of the statements made, as I went back through Hansard, through the courtesy of the legislative research library, to put on the record what some of those people said about the necessity of recognition of people and the role of ourselves as legislators.

In June 1983 debates were held concerning redistribution of the electoral districts. That of course was the commission I referred to earlier that went from 1983 to 1986. At that time Ross McClellan, a well-known former member of this House, an MPP representing the riding of Bellwoods, stated in this House, "Each and every person who lives in this country is entitled to have fair representation."

During that same debate Jim Foulds, the MPP for Port Arthur, also a well-remembered ex-member of this House, asserted, "There is also the important principle of the accessibility of the elected representative to the constituent or the citizen, and the ability to make personal representation to the elected representative."

It is interesting to note how none of these members is in the House any longer, but Terry Jones, the MPP for Mississauga North, said on the same occasion:

"I believe the job of the elected politician is not only to participate in the debates of Parliament or to be a parliamentarian, but to rub shoulders and arms and to get into the real heart, soul and guts of his or her community. This is the only way we can represent those people adequately and well."

Our honourable Treasurer of today, the member for Brant-Haldimand, on that same occasion asserted that, "Redistribution of the population into constituencies in this province is one of our most important democratic responsibilities."

My own riding of Kingston has undergone a great number of modifications in the number of people it has represented and in its title. It goes back to the research of 1885, when the franchise act of the day stipulated that, in addition to the city of Kingston, the electoral district of Kingston should also contain the township of Kingston and the village of Portsmouth, which had previously belonged to the electoral district of Frontenac. These became included in actuality, although not in any additional name, at that time in 1885.

#### 1130

Then in 1894 the representation act of the day removed Kingston township from the riding and restored it to the county of Frontenac, leaving the village of Portsmouth with us. Another 30-some years passed, and in 1929 another redistribution act added to the electoral district of Kingston the islands of Amherst, Howe, Wolfe and, included with Wolfe, Simcoe, Horseshoe and Mud islands. They were reaffirmed as being appropriate municipalities within the electoral district of Kingston in 1954.

But it was not until 1966 in this House that, again on demand of the citizens in the area, particularly from the islands and from the member representative of the day, W. M. Nickle, that a representation act, which was then known as Bill 92, renamed the electoral district of Kingston to that now melodious and beautiful riding of Kingston and The Islands.

That little history lesson is simply to illustrate that the naming of a riding is very significant to the residents of a particular area and, therefore, Millhaven is in the very fine riding of Prince Edward-Lennox and, hopefully soon, South Hastings. These points are made to illustrate the intense feelings that people have about the name of the riding.

I know that the honourable member from the third party has on occasion risen in this House to likewise to have the name of his riding changed. But it is my understanding of a few moments ago, while it passed in this House for second reading, no change was made in that, and it is something perhaps the honourable member must bring to the attention of this House subsequent to today's positive motion to have that rectified.

As I have said, each subsequent and additional change of name ensured that the citizens not only received fair and adequate representation, but they were included in name as well as reality in the decision-making process, and so they have been encouraged and acknowledged. I see this act today, put forth by the honourable member for Prince Edward-Lennox, to be somewhat similar to the number of occasions that I have referred to with a renaming of the riding that I have the pleasure to represent.

Of course, I support so wholeheartedly the renaming of the electoral district of Kingston to Kingston and The Islands because I myself was born on Wolfe Island, as a farm boy, lived my career there until about 21 and moved to the great city of Kingston. So this is my life today supporting the honourable member for Prince Edward-Lennox.

I am very honoured to be the first inhabitant and son of Wolfe Island to serve the residents of the island and the city of Kingston in this capacity and this House as I have had the pleasure to do since 1985. I am sure that just as I am honoured to have served my people from where I was born, so is my honourable friend from Prince Edward-Lennox. He feels a deep sense of pride not only in the people he has represented so well, but now in his request to represent all of his people through the renaming of his riding to Prince Edward-Lennox-South Hastings.

I am pleased to support the bill and I encourage all members of this House to do likewise. I am very pleased to have the

opportunity to speak on the member's behalf, on behalf of his citizens as well as my own, in support of this bill.

Mr Wildman: I am pleased to participate in this debate. While I am reminded of the phrase, "A rose by any other name is still a rose," I wonder whether we need to be as concerned as some members are to try to ensure that all parts of their ridings are signified in the names of the constituencies. However, I respect the local member's concern. Obviously he is responding to the views and concerns of his constituents, and in that sense I certainly would have no reason to object, particularly when the neighbouring member, the member for Hastings-Peterborough, is in support of the change.

I have some sympathy with a nice, neat name. The first on the list alphabetically in this House of all the constituencies is the constituency of Algoma, which is the fourth-largest constituency in Ontario. It is approximately 400 miles from one end to the other. I represent a very diverse area of the province, many, many small communities very widely dispersed, all the way from Hornepayne in the north to White River, south to Sault Ste Marie but not including any of the city of Sault Ste Marie, and east from there to Blind River and the very small community, or at least part of the very small community, of Algoma Mills. That community, for some reason which is beyond me, frankly, is divided between my constituency and the constituency of Algoma-Manitoulin.

Mr Mahoney: They requested it.

Mr Wildman: Actually, no. At the time of the last boundary change the then member for Algoma-Manitoulin and I both said, "Move the line one way or the other a couple of miles," so that all of Algoma Mills, which is a very, very small community, could be either in Algoma district or in Algoma-Manitoulin constituency. It is not a big place.

But at any rate, when we say Algoma, we know that we are talking about the whole of Algoma district, which is a very large area. We do not try to say that this riding should be named Hornepayne-Algoma Mills or White River-Blind River. In other words, you could run into problems if you tried to represent every part of the riding in its name.

However, in southern Ontario and southeastern Ontario, where there are communities that are closer together and perhaps have very long histories and have been in the past recognized in the names of their constituencies, I suppose it makes sense when there are a number of different counties represented by one constituency to represent them in the name. I note that we are saying South Hastings in the proposed change as a way of trying to differentiate from the other riding that has Hastings in its name, and I accept that.

I wonder, though, why, it seems to me, it is the constituencies that already have the longest names that want to get longer. I mean, we already have Prince Edward-Lennox. Now it is going to be Prince Edward-Lennox-South Hastings. I note a few years ago my friend the member for Stormont, Dundas and Glengarry, the united counties, wanted to make a change in the name of his constituency. As a matter of fact, in his case he wanted to shorten it. He wanted to change it so that he recognized Grenville as part of his constituency. I believe that proposal was supported in the House, was it?

Mr Villeneuve: It was a private bill.

1140

**Mr Wildman:** Oh, it was a private bill. But it never went anywhere after first reading.

I think we should do everything we can to accommodate the local member on a thing like this, and his or her constituents. It seems to me that if we are going to make an effort to expedite the passage of this particular private member's bill so that the constituency, the electoral district, will now be called Prince Edward-Lennox-South Hastings, it would be equitable for us to consider very carefully the proposal made by my friend the member for Stormont, Dundas and Glengarry and to look at the possibility of expediting the passage of the private bill. I am sorry, I was under the impression that it had been a private member's bill.

Mr Villeneuve: It was a private bill.

**Mr Wildman:** If it was a private bill I can see a somewhat different situation, but perhaps we could look at the possibility of expediting the passage of that as well, as long as the Deputy Speaker has no objection.

I found it interesting to listen to the history of the area as interpreted by the member for Hastings-Peterborough, because he is a member who is very concerned with his constituents and has been known to work very hard on behalf of the very small communities of his area. I am sure he is very well known and understands the concerns and feelings of the constituents of the area that he represented but which is now part of the other riding. I respect him for that.

I appreciate also the concerns of the current member. I do say that while this is private members' hour and we all, as private members, have the right and the obligation to consider individually the proposals made by private members in this debate, I think that members of my caucus will be united in the view that if the local member and his constituents wish this change, then everything should be done to expedite it by the Legislative Assembly and, hopefully, by the Ontario Electoral Boundaries Commission.

In that view, I will just say briefly and finally that we support the proposal. I think that if we are going to make this kind of change in this case, we should look very carefully at similar suggestions that have been made by other members to see whether we can assist them in making similar changes. The only proviso I put on that is that, representing a very large area, a very diverse area with the very short, neat name of Algoma, I think brevity has some advantages over complexity in the naming of constituencies.

**Mr Villeneuve:** I too rise to support Bill 115 and my friend and colleague the member for Prince Edward-Lennox.

I think I understand very much of what he is going through. Several years ago, following redistribution, I put in a private bill. I am pleased that my friends and colleagues the member for Algoma and the member for Kingston and The Islands remember that particular occasion when I was suggesting that the very historical riding of Stormont, Dundas and Glengarry, following redistribution, included the east half of the county of Grenville. It is part of four very important counties in Ontario, and particularly in eastern Ontario. As the name presently stands in my case, it is Stormont, Dundas and Glengarry and some 12,000 people in the municipalities that I represent here at Queen's Park from Grenville county effectively are not recognized. It may only be in perception, but perception, as we well know here at Queen's Park, becomes reality very quickly.

My suggestion was based on some of the historical facts. Stormont, Dundas and Glengarry, back in the days of wartime, had the SD and G Highlanders; they were the Stormont, Dundas and Glengarry Highlanders but they were affectionately known as the SD and G Highlanders, proudly wearing the Macdonnell

of Glengarry plaid as their fighting colours. I thought that possibly recognizing the riding—and I understand that Stormont, Dundas, Glengarry and East Grenville becomes a bit cumbersome; however, cumbersome or not, my suggestion is that we shorten it to SDG and East Grenville, and it possibly would be less cumbersome, but would incorporate everyone who is included in the riding, the 57,000 people who are in the riding that I very proudly represent.

Right now left aside—and I realize that my neighbour to the west, Leeds-Grenville, incorporates approximately the west half of the county of Grenville geographically; population-wise it is a lot bigger. However, population and geographics should always be recognized. So possibly the change of one name of a riding would follow that a second riding would have to have a slight change of name. But I think it is all done in respect for people we represent, and right now the town of Kemptville, the village of Cardinal and the townships of Edwardsburgh, South Gower and Oxford on the Rideau are not recognized in the name of the riding that I represent.

To go back to the riding that I represent, very similar to the member for Prince Edward-Lennox, I quite often travel Highway 401, and as I get to that Deseronto exit that is about halfway home. So it is always a friendly reminder. The worst half is behind me, and the first half is always the worst half. From then on you are going downhill. Affectionately, his riding is always a point in my trip home or my trip to Queen's Park.

The history, I know, in the honourable member's riding is very agricultural, as it is in mine. And I am always proud to tell people that half of the bicentennial farms are situated in the riding that I represent, bicentennial farms that were recognized back in 1984 by this Legislature and by the Ministry of Agriculture and Food. To my friend and colleague the member for Prince Edward-Lennox, I look forward to recognizing him henceforth as the member for Prince Edward-Lennox-South Hastings and I hope some time members look at the name of the riding that I very proudly represent.

Mr Mahoney: I am indeed pleased to have been asked by the member for Prince Edward-Lennox to speak on behalf of and indeed in support of this piece of legislation which is very important to him. In doing so, I tried to analyse, other than being his seatmate, why. I think what I have determined is that it is important, particularly having listened to the very fine speakers who have just talked in favour of this bill, perhaps to bring a different perspective towards the support of this legislation.

The member represents a substantially rural community. My community of Mississauga West, of course, is primarily an urban community. So I bring an urban perspective, along with the member for Durham-York, who is coming up to cause me some grief at the moment. I bring a perspective that I think is particularly significant, coming from the big city, so to speak, or the Big Smoke, as it is sometimes referred to, in talking about what I consider to be some of the most wonderful country in this province.

This particular community represented by the honourable member is really a fantastic place to visit, to vacation in and to tour. I would like to just take a moment, if I could—I am sure the member and others have done this many times; I have done it—to drive members along one of the most scenic routes in the entire province of Ontario, and indeed in all of Canada, and that is the Loyalist Parkway, which runs from one end of the member's riding to the other.

The history in this part of Ontario is very, very strong, very similar to the history in the area spoken about by the member

for Kingston and The Islands. If you drive along this particular area you really get to get the feeling of Canada, get the sense of the great province of Ontario and indeed of this great country. You start off coming out of Kingston and Amherstview, a place where I have spent a little of time in playing hockey in the past, enjoying that great community just outside of Kingston.

You drive along from that eastern gateway to the parkway into Millhaven. Members, particularly the member for Algoma, were asking if Millhaven was in this riding. We can arrange a short stay for the member if he is interested. The accommodation, I understand, according to the owner of the Toronto Maple Leafs, is second to none. We will see that he gets steak and a good breakfast any time he would like to go there.

But everyone knows Millhaven. Unfortunately, it is known primarily as the home of that penitentiary, but in reality it is some of the most spectacular country you could see. The lake view and the waterfront properties are breathtaking, and I am really quite impressed with that.

As you leave there, you go along through Bath. Some of the members could probably spend a little time in that particular part of the country. You see an awful lot of early Ontario architecture and great history. Moving on to pick up the Glenora ferry, that is one of the most entertaining and enjoyable trips, to ride the ferry over to Picton.

#### 1150

The Deputy Speaker: Thank you. The member's time is up.

Mr Mahoney: My time is up? I just got started.

The Deputy Speaker: Just 15 minutes per party, and the time is up.

Mr Mahoney: Since my time is up, let me just say that I support the member and his motion and am delighted to have the opportunity to say so.

**The Deputy Speaker:** Do other members wish to participate? If not, would the member for Prince Edward-Lennox please wind down?

Mr Jackson: How much time is left for the Tories?

**The Deputy Speaker:** Did the member for Burlington South wish to address the floor?

**Mr Jackson:** Is there any time left for the Conservatives?

Miss Roberts: Yes, there is.

**Mr Jackson:** Is there? How much time? I am looking to the clerks for guidance. No? Then fine.

**The Deputy Speaker:** Is there agreement to let the member for Burlington South—

Mr Jackson: No, that's all right. I thought there was time eft.

The Deputy Speaker: I understand that there is time left for the official opposition, and if other members wish to speak—the member for Beaches-Woodbine would like to speak. Fair enough.

Ms Bryden: I do feel that when a member desires a change in the name of his riding he must have good reasons for it. I think there is a time when one has to bring up to date the events that are going on in your own area so that people do recognize that the description of the riding is a true description of the communities involved.

I share the thoughts of the previous speaker, the member for Mississauga West, that it is a beautiful area. It is an area that I enjoy visiting on my vacations and it is an area that we hope will continue to be kept in its present state and not taken over by developers or too many highways and things of that sort. But I do hope that some day, whatever the name of the riding is, it will become a New Democrat riding.

**The Deputy Speaker:** There are over six minutes left. Do other members wish to address the House? Is there consent for the official opposition to let go its time? Then the member for Wellington.

Mr J. M. Johnson: I would like to speak in support of the bill and congratulate the member for bringing it forward to demonstrate his concern for all the people in his riding.

I was first elected to represent the riding of Wellington-Dufferin-Peel. The Peel section included all of Caledon, and the people in Caledon for many years were quite concerned that their identity was lost because the name Caledon did not appear in the name of the riding. There was concern that, not having the name, you really did not represent that group of people. The honourable member has tried to address this issue by taking in names of all the people in his area, the same as the member for Stormont, Dundas and Glengarry has, by hoping to add the name of one more township.

I think that we take for granted that people should accept the fact that by calling an area such as greater Peel just by the one name anyone living in this area will be considered as part of that great area. But there are several members from Peel. They used to be all Conservative; now, for some reason, they have changed for a short while. But maybe if they are more conscious of where they are living, they will be a little more interested in the voting procedure.

I can recall a constituent of mine driving up Highway 401 and approaching the new town of Halton many years ago. The sign said, "Town of Halton, former Georgetown." He said, "How would you like to be from an area that used to be the former community?" If you lose your identity, it is not good. I think the member for Cambridge had a similar problem many years ago. I think it has been resolved, but at one time it used to be Hespeler-Galt-Preston; now it is all Cambridge.

There is a loss of identity, there is a loss of personal feeling that you belong to a community. So the member has made the right decision to proceed in this direction, and I will assure him of my support. I do understand it will be called for third reading today and I can indicate the support of all members of our party, the three of us.

Mr Jackson: I wish to commend the member for his bill, An Act to amend the Representation Act. He was not a member of this House when we last debated the Election Act, but many of the comments that he made were reflected in that debate, the very strong commitment to his riding, to making sure that the people feel very much welcome and accommodated by the name of their riding. It is a pride of ownership in their representation. So we fully support that.

During that debate as well, some few years ago, concern was expressed in similar terms for the riding of Oakville South and its relationship to Burlington South. We had a change from the old riding of Oakville, which included the city of Oakville. It expanded to take in a portion of Burlington from the riding of Burlington South. There was a lot of concern expressed by the residents of East Burlington, in the area from Appleby Line to Burloak Drive and from New Street to the lake, who are now part of Oakville South. There has been a persistent and consis-

tent request from the citizens of that area that the riding name of Oakville South be modified to reflect its partial Burlington representation. I underscore the name of the street which binds the two communities, Burloak Drive, as a potential name for a riding. I would hope the member for Oakville South is listening. His predecessor fully supported the principles that the member for Prince Edward-Lennox states today in his resolution.

So I fully support it, and fully encourage its application for at least two or three other instances in this House. I respect the leadership he supplied to this bill, and for that reason we will be supporting it. Should the member for Oakville South be so inclined to represent in this fashion a bill similar to that of the member for Prince Edward-Lennox, then he would have my full support, and I would certainly ask him to consult with the member for Prince Edward-Lennox because of the work he has done. I wish him well and I certainly will be supporting his bill.

Mr Tatham: I am very happy to support this bill based on the fact that several years ago a committee went across the province of Ontario. We visited 26 counties, and wherever we went we found that the people have a great love and affection for their own area and they like to know who they are. This matter of coming together with counties was such that they wondered about their identity. They wondered what would take place if they amalgamated. I know in our own county of Oxford we put 18 municipalities down to eight. There was a great deal of wonderment about what names should be used. In one instance, we took three municipalities and put them into one. They had to have a vote on this matter. So it is something that I think we are very much in favour of.

**The Deputy Speaker:** This completes the debate on the member for Prince Edward-Lennox's bill.

Interjection.

**The Deputy Speaker:** Oh, I am sorry. Yes, the member for Prince Edward-Lennox may wind up if he wants. What am I saying? Thank you very much.

Mr MacDonald: It is certainly my pleasure, in wrapping up the debate on this bill, to thank all the members of the House today for joining the debate. I am very pleased they have gone along with this bill and supported it. I do appreciate it.

I do want to pay tribute to the member for Hastings-Peterborough who did represent this part of the riding for a good many years. When I did tour the riding there was nothing but very great things said about him and I do pay tribute to his standing up today and saying what he did.

Naturally, I am here today to bring recognition to those people in that part of the riding and that is solely why I am here. I again thank the members very much for joining the debate and supporting the resolution.

**The Deputy Speaker:** This really does complete the debate on the bill of the member for Prince Edward-Lennox.

## VICTIMS' BILL OF RIGHTS ACT, 1990

**The Deputy Speaker:** Mr Jackson has moved second reading of Bill 113.

Motion agreed to.

**Mr Jackson:** Mr Speaker, could I have that referred to the standing committee on administration of justice?

**The Deputy Speaker:** Is there agreement of the House?

Hon Mr Elston: Committee of the whole House.

The Deputy Speaker: I would need a majority vote to send it to the committee; if not, it is going to have to go to the committee of the whole House. It would appear to me that the vote would be committee of the whole House in that case.

Some hon members: Agreed.

Bill ordered for committee of the whole House.

REPRESENTATION AMENDMENT ACT, 1990

**The Deputy Speaker:** Mr MacDonald has moved second reading of Bill 115.

Motion agreed to.

Third reading also agreed to on motion.

The House recessed at 1203.

## AFTERNOON SITTING

The House resumed at 1330.

#### **MEMBERS' STATEMENTS**

#### NORTHERN TRANSPORTATION

Miss Martel: Today this government announced the transportation capital program at a staged performance at Union Station. I waited for some announcement regarding Highway 69 north. I was confident some commitment would be made to improve northern highways. After all, if this government can give away \$2 billion to the greater Toronto area in one morning, surely it is not too much to expect that northern Ontario could receive a small piece of that pie.

Not one word was mentioned about northern Ontario, not one dime allocated to road improvement in the north, not one word even hinting at a commitment by this government to the four-laning of Highway 69 north, no indication that the Liberals even have a plan of action for this route.

This is in spite of disturbing accident rates in 1989. In district 7, for example, from Midland to Bala, there were five fatal accidents, seven people killed, 48 personal injuries and 123 property damage accidents. In district 12, the Parry Sound area, there were two fatal accidents and two people killed, 79 personal injury accidents and 152 property damage accidents. Farther north, from Still River to Sudbury, in district 13, there were six fatal accidents, nine people killed, 79 personal injury accidents and 156 property damage accidents.

Safety on this northern highway continues to decline. That is why ministry funding last year in the Port Severn area did nothing to resolve the problem. We need a commitment from this government to the four-laning of Highway 69 north to stop the carnage on this transportation route.

# DAFFODIL DAY

Mr Eves: I want to remind the Legislature today of Daffodil Day. On an early spring day many years ago a group of cancer society volunteers decorated the tables for a cancer tea with daffodils. These early spring blossoms, they felt, represented a sense of hope and renewed life.

Today, Daffodil Day is celebrated all across this country. It has turned into a three-day event, supported by numerous volunteers, to aid in the battle against cancer. Today, presold daffodils will be delivered. Tomorrow, those of us who have still not supported the Canadian Cancer Society will have the opportunity to purchase them at subway stations, on the street and in malls throughout the province. They will be available on Saturday.

I would like to take this opportunity to ask members to support this very worthwhile cause. Fifty cents of every dollar collected will go towards research; the other half will go towards valuable projects such as public education and patient services. At least one third of us will have a contact with cancer during our lives. Last year, volunteers raised \$1.5 million from the sale of daffodils. This year it is hoped that even more money will be raised to support this very worthy cause.

The cancer society has also begun its residential campaign and I would like to ask all Ontarians to support the battle against cancer. I would also like to commend the thousands of dedicated volunteers across the province and this country who

have made further research and services for cancer patients available to all.

#### **PUBLIC LIBRARIES**

**Mr Tatham:** "And what is so rare as a day in June?" "The paths of glory lead but to the grave." "Ay free, off han' your story tell when wi' a bosom cronie, but still keep something to yoursel' ye scarcely tell to onie."

Words, phrases, books, libraries: wonderful things, wonderful places.

In 1985 our librarians gathered at a futures symposium, Libraries 2000. They were warned that our society would be split into two classes: the information rich and the information poor.

So hundreds of librarians and trustees have worked on a draft Ontario public library strategic plan that will bring Ontario fully into the information age with all principles intact: the right to information, equity of service throughout the province and the right to intellectual freedom. The draft plan will be released simultaneously at 21 libraries across the province on Saturday 7 April.

I commend my colleague the Minister of Culture and Communications and her ministry for having had the foresight to organize Libraries 2000 and fund the Ontario public library strategic plan. We can help as well by encouraging our local library people to respond to the draft plan.

As Longfellow said: "Build today, thou strong and sure, with a firm and ample base; and ascending and secure, shall tomorrow find its place."

#### MOOSE TAG LOTTERY

Mr Wildman: There is a great deal of discontent among moose hunters in northern Ontario regarding the present moose lottery system. A large number of hunters have been unsuccessful in the draw for an adult moose tag for a number of consecutive years. The time and cost involved in a hunting expedition can be expensive; many hunters feel it is not feasible financially or otherwise to participate in the hunt if they have not been awarded an adult moose tag.

The cost of a moose licence, therefore, is very expensive if you have to pay it before you get into the lottery. The position of many hunters is that the moose licence cost should be refunded to those hunters who are unsuccessful in the draw for an adult moose tag and who do not wish to participate in the hunt for a moose calf.

This would provide a much more equitable approach rather than having the provincial government and the Ministry of Natural Resources collecting money that does not benefit the hunter and, as a result, requires the hunter to pay even if he or she is not successful in entering the draw. I know some people may not find this a major issue, but it certainly is of significant importance to many constituents in Algoma and across northern Ontario.

## **AUTOMOBILE INSURANCE**

**Mr McLean:** My statement is addressed to the Minister of Financial Institutions and concerns Bill 68.

The people of Ontario are well aware of how this government is trying to pull the wool over their eyes on the issue of auto insurance. My constituency offices in Orillia and Penetanguishene have been flooded with calls and letters.

Finally, the Liberals in this province are starting to wake up to the inability of their government to provide a fair and equitable solution to the rising cost of automobile insurance. Liberal ridings throughout the province are introducing and passing resolutions against this bill. Ridings in North Bay and Sudbury have passed these resolutions, and they have been introduced in Hamilton Centre. I know that many staunch Liberals, in Muskoka-Georgian Bay and Simcoe Centre ridings, are also opposed to this bill. Most recently, it has been brought to my attention that the Liberal association in my own riding of Simcoe East has passed a resolution condemning this bill.

The people of this province are opposed to Bill 68 because it sacrifices fairness for accident victims in the name of political expediency. It results in Ontario taxpayers paying more for fewer benefits. I can tell the members that it is going to eliminate a lot of insurance agents too.

So far, this government has refused to listen to the people of the province. Now it is refusing to listen to its own party members. When will they wake up and smell the taffy? It is starting to stick. Ontario is saying no to Bill 68.

1340

## **BICENTENNIAL CELEBRATION**

Mr Pelissero: This year, 1990, marks a bicentennial celebration for the town of Grimsby and for West Lincoln, not because of the founding of those communities, for they were already well established 200 years ago, but because the first municipal council meeting in Upper Canada was held there, on 5 April 1790.

The meeting for township 6 was held at the request of the Court of Common Pleas for the district of Nassau, which at that time included the Niagara Peninsula. The meeting was held at the home of John Green in the village of The Forty, now called Grimsby. At that meeting, the officers chosen were a clerk, a constable, an overseer of the poor, a pathmaster to oversee the roads and two viewers of fences and appraisers of damages. Besides the selection of these officers, the only business recorded in the minutes is a discussion of the matter of the distance allowed between fence rails.

These minutes are the basis for a re-enactment of that first municipal meeting, to be held in Grimsby tonight, Thursday 5 April 1990. Councillors from West Lincoln and Grimsby will play the roles in a brief drama, called Fathers of The Forty, written by local author Dorothy Turcotte. In addition, there has been a logo contest, with the winning entry made into a flag which is being flown in both municipalities this week. Other special events will take place throughout bicentennial year.

The municipalities of Grimsby and West Lincoln appreciated the Premier's visit on 23 March, at which time plaques were presented in honour of this memorable occasion.

This celebration is a reminder of how far we have come in 200 years and how precious our tradition of freedom and self-government is.

## POST-SECONDARY EDUCATION FINANCING

Mr Allen: At the University of Guelph, the administration is persisting in a plan to take over the student-run campus bookstore and threatening the same for a coffee shop, both run by the Guelph Campus Co-operative, a long-standing student institution. University officials, including the president, have declared that they are following a specific mandate from

Queen's Park to take over student-run retail operations on campus to create additional revenues for the university.

If the university proceeds, it may face federal government charges. But what has to be most troubling is that the roots of this heavy-handed attempt appear to lie with the Liberal government here at Queen's Park. That the Liberals should be resorting to such tactics is an open confession of their failure to adequately fund Ontario's universities.

Government support has fallen once again to the bottom rank of provincial systems. Even so, it is difficult to comprehend how this nefarious combination of Queen's Park Liberals and the Guelph administration can seriously contemplate actions that would effectively wipe out the major activities of a long-standing student co-operative. Have the two technocratic bureaucracies lost all sense of the importance of people learning to work together and running their own affairs?

If this government ever issued such a mandate, I call on the Minister of Colleges and Universities to publicly renounce such a mistaken and mischievous policy.

#### CAPITOL THEATRE

**Mr Villeneuve:** This government is practising a completely two-faced attitude towards preserving historical buildings.

In Toronto, millions have been spent to restore the Winter Garden. In Cornwall, the Liberal government is arranging with the city to demolish one of Canada's oldest theatre buildings in order to build a provincial government building.

The Capitol Theatre in Cornwall was one of the very first theatres in Canada to show motion pictures with sound. It is very much a historical building. Although neglected for some two years, an Ontario Heritage Foundation expert reported on 28 January, "There is no reason why the Capitol cannot be repaired."

On Monday, Cornwall council is ready to remove the historical designation, tear down the building and sell the property to the province. On Saturday, the people of Cornwall will be showing their disapproval.

The provincial government's behaviour has been deplorable on this issue. According to all sources, the proposed site could accommodate an office building together with a restored theatre. This is what the province must insist on from the city of Cornwall, and I fully agree.

## PACIFIC RIM INITIATIVE PROGRAM

Mr Velshi: Recently I was apprised of the initiatives of the East York Board of Education. I would like to share them with the House at this time.

In keeping with the changing shape of Ontario's socioeconomic profile and, more specifically, changes in the domestic and foreign marketplace, the East York Board of Education has endorsed a major Pacific Rim initiative. The East York Board of Education has taken a bold step towards preparing its students for the competitive workplace of the 21st century. The trustees approved the recommendations of the education committee to launch a Pacific Rim initiative program set to begin in September of this year.

The program is designed to increase the awareness and understanding of such countries as China, Japan, Korea, Taiwan, Brunei, Indonesia, Malaysia, the Philippines and Thailand. The further intent of this initiative is to increase opportunities for students to develop an understanding and appreciation not only of economics but of culture, values and languages as well as trade initiatives.

These broad goals will be achieved through student and teacher exchanges, seeking partnerships with Pacific Rim businesses, establishing advisory groups and appointing a Pacific Rim special assignment teacher to provide leadership in this education initiative.

I feel that these are most worthy goals. I am pleased and reassured by the efforts of the East York Board of Education and I look forward to and support the development of this most timely and important endeavour.

#### **VISITORS**

Mr Velshi: I would also like to inform members of this House that grade 8 students from John XXIII school in my riding are visiting us today, sitting in the gallery, and I would appreciate our welcoming them.

**Hon Mr Ward:** Mr Speaker, I wonder if I could seek unanimous consent for statements by all three parties acknowledging the 22nd anniversary of the assassination of Dr Martin Luther King.

Agreed to.

# ANNIVERSARY OF MARTIN LUTHER KING'S ASSASSINATION

**Mr Curling:** I rise today to remember a day 22 years ago, a day when the world lost a great man.

The Martin Luther King story has been told and retold until it has become almost a legend; a legend, I believe, that is central to our history and to our understanding of what we stand for as a people.

When I speak about this great man, images sweep through my mind: images like the face of Rosa Parks as she sat in a bus in Montgomery, Alabama, late on a hot afternoon in December back in 1955; an image of her being told to move to the back of the bus to give a white man her seat, something she had been told to do all the years of her life. But something rose up in Rosa Parks that day and she refused to yield her seat.

I can imagine that young Alabama preacher's face when he heard about this astonishing act of defiance and courage. That preacher was Martin Luther King. When he heard about Rosa Parks's courage, something rose up in him as well, something strong, something fierce, something that told him, "Yes, the time has come for all men and all women to be as equal under the law as they are in the eyes of God."

Then images come faster to me, flooding my memory: images of Martin Luther King marching down dusty roads all over the southern United States, marching in the face of armed troops and guard dogs and threats to the lives of his children. And wherever he marched behind him marched a swelling company of his followers. I can see their faces now, lit by courage and a new hope and a wonderful kind of joy that they were part of this incredible journey through history.

Then images crowd one upon the other: Martin Luther King at Selma, Alabama; Martin Luther King at Little Rock, Arkansas; Martin Luther King in Washington, his words ringing out from the Lincoln Memorial; and then Martin Luther King on a motel balcony in Memphis.

I have a final image of my own feelings on that terrible day in 1968, an image that the heart of all people had been shattered, that our light and our courage had been torn out of us by the bullets of a single assassin. That was wrong, of course, for the heart grew stronger and stronger, filled by the courage and determination of people around the world who reached down to

pick up the torch that had fallen from Martin Luther King's hands.

#### 1350

I recall the sermon he gave at the Ebenezer Baptist Church on Sunday morning, 4 December 1967, a few months before he died. Martin Luther King told the congregation how he wanted to be remembered after his death. "Tell them," he said, "not to mention that I got a Nobel peace prize. That's not important." He paused and then he continued: "I would like somebody to say that I tried to feed the hungry. I would like somebody to say that I did try in my life to clothe those who were naked and visit those who were in prison. I would like it to be said that Martin Luther King tried to love somebody."

He said much more that December, but I think it would please him to know that his words have been remembered and that here in a northern city, in another country, 22 years after his death, those words are cherished by people whose lives are so much more than they might have been because this one extraordinary man lived and dreamed and struggled and died.

"I have a dream," said Martin Luther King, and his dream lives in the hopes and aspirations, and fired the spirits, not only of blacks but of oppressed people everywhere.

"I have a dream," cried Martin Luther King, and his words of true freedom and equality and justice were transmitted by television signals and radio waves, by cable and letter and by the spoken word to every corner of the earth and heard by every man and woman who knew in their hearts that freedom and justice should be their universal human birthright.

His dream, the power of his courage and his belief in what all human beings can achieve transformed the world. It rolled back laws that had oppressed blacks in America for more than a century. It opened doors and opportunities for all of us and for all our children and for all the children yet to come.

There are those who say that dream has died, that the light has gone out, that the groundswell of the forces of change are fading with his memory. But just 22 years after Martin Luther King was laid to rest, we are equal partners in a society where freedom and justice for all are enshrined in law. Twenty-two years have passed, and we are living in a place and time where no one moves to the back of the bus, where no one is left without protection against discrimination, where every child has an equal chance, where we are all invited to sit down at the table of brotherhood.

But do not think that I am saying our journey is over. In Canada we live in a just society, but millions of our brothers and sisters in distant countries do not, and our journey will not be over until the dreams of a just society are realized. While it is true we have equality under the law, we still find inequality in the course of our everyday lives. We have food to eat and clothes to wear, but so long as one child among us goes hungry or cold, our journey will not be over. We must always measure ourselves against the yardstick of Martin Luther King's hopes for what we should achieve.

Sometimes we despair that cruelty and hatred will never be wiped from the human slate, but those are the times we should remember his words, "It is only when the sky is darkest that you can really see the stars." Martin Luther King never stopped believing that not only his dream but also the dreamers would prevail. The dream lives on.

Mr B. Rae: First of all, in following the member for Scarborough North, I want to simply say that we are very proud to associate ourselves with the eloquence of his remarks. I might say in passing that we are delighted to assess the performance

of his government and indeed of all governments on the basis of the standards set out by Dr King.

I think it is almost trite now to say, but it is certainly worth saying again, that few people in the world have so changed the course of human history and so served as an example to the rest of us as Dr Martin Luther King. Like all members of the House, I knew him only through the power of television and through the force of his words and of his example. And, of course, it is in reading more about Dr King and his extraordinary contribution and courage and his incredible dedication that one gets to an even deeper appreciation of the life he lived and of the example he set.

Last week when I was speaking to a rally of Lithuanians in Nathan Phillips Square, a little kid up on the ramp was holding up a large picture of Dr King—larger than life, larger than the child—and showing it to all the people. When you think about it, it is an extraordinary time in which we live when the life of a pastor from the southern United States serves as an example to the Lithuanian community in this country and to freedom-loving people everywhere and is seen as their symbol too. I saw something marvellous in that, just as I saw something marvellous in the fact that the other picture being held up by the child next to her was that of Mahatma Gandhi.

The fact that we now have a world in which all of us, regardless of our race or colour, are able to appreciate the lives and the courage and the contribution of others from different races and different backgrounds and even from different times, I think is a marvellous symbol of the fraternity and the sorority, the brotherhood and the sisterhood, the fellowship that sustains all of us in even the most difficult of times.

Dr King was a man of great eloquence. He was a man whose eloquence was not only of words but of deeds, whose vision extended beyond simply talking about the legalities of civil rights to making these rights real in the world, whose vision of freedom and hope and love extended far beyond the United States to include the people of North Vietnam. He had the courage to speak out at a time when it was controversial and when he was branded as a communist for so doing.

Perhaps it is worth recollecting that although many were prepared to mourn his death when he was shot in April 1968, his views were not respectable in the time in which he lived. He was perhaps more widely recognized and appreciated outside the United States than he was within the United States. He was also someone who, at the end of his life, realized—and began writing and talking about this more and more—that the cause of civil rights could only be achieved in a world in which freedoms were real. They could only be achieved in a world in which social and economic justice became as important as the fact of racism and of discrimination, and which came to understand that it was only through creating a new international order of world economic and social justice that people could be truly free.

To those who said equality and freedom were somehow antithetical or opposed to each other, to those who said that freedom and justice were somehow opposed to each other, he gave a very different vision and a very different answer. He said more clearly and eloquently, I believe, than any figure in our recent history, what he believed.

# 1400

He reiterated what I believe to be a fundamental truth, that it is nonsense to talk about freedom unless we are prepared to recognize that people have to have the means to be free; that it is nonsense to talk about freedom unless we recognize that

poverty is as much an enemy of freedom as political oppression; that poverty is as much an enemy of the notion or the idea of individual liberty and an end to discrimination as any other act of government; and that economic inequality and the oppression that follow from that and the oppression that, yes, follows from the economic system in which we live, just as surely as the cleaners in Memphis lived when Martin Luther King went down to be with them on their picket line. That is an enemy that must be overcome and that is the enemy that all of us must once again join in overcoming.

Racism is not an abstraction; racism is a very real enemy that many citizens of our province encounter each and every day of their lives, whether it be a young native person coming off the reserve for the first time, heading into the city and finding that he or she is the victim of the most difficult and most oppressive forms of racism, a little black child going into school, a person applying for a job, people with disabilities who are discriminated against, or people who speak French, Italian or a language other than English who suddenly encounter a prejudice or a reaction to what it is they are saying.

We remember Dr Martin Luther King and his memory best not simply by what we say today but by the actions we take as legislators in this province and by the actions we take as citizens. That is how we shall overcome: not simply by praising Dr King but, if I may say so, by imitating him.

Mrs Marland: Before I make my statement, I would like to say that I too recognize the eloquence of the words of the member for Scarborough North today. Regardless of the fact that I obviously come from a different political persuasion than the leader of the official opposition, I do not think we ever hear more eloquence from any member of this Legislature than we do from the member for York South.

It is a particular privilege for me to rise today on behalf of the Progressive Conservative caucus to recognize the 22nd anniversary of the assassination of Martin Luther King. What a joy it would be if we were not recognizing an assassination but an ongoing life, one that was more committed to other people than any life we have known in the past century. It has been 22 years since the assassination of Martin Luther King, but the years that have passed since that tragic day have not lessened the greatness of his work or the heroism of his actions.

Today I stand not to talk so much about the man as about his vision. His most powerful and famous speech, "I have a dream," has become a worldwide symbol that inspires hope in the hearts of oppressed people everywhere. He was able to articulate his dream, the dream of equality between peoples and the dream of peace between peoples. The dream captured the attention of the world and in 1964 he became the youngest recipient ever of the Nobel Prize for peace.

One of the problems that minorities have is the absence of a role model, someone in a position of power whom youngsters can look up to and think, "I can make it too." Martin Luther King became a role model for his own people as well as for other minorities, and his vision continues to inspire new generations.

Our own native people have a saying that before you pass judgement on someone, you should walk a mile in their shoes. It will bring about understanding of a different culture, a different point of view. Martin Luther King's marches for freedom' helped all North Americans walk a mile in the shoes of millions of black citizens.

In remembrance of Martin Luther King, here in Ontario we can remember his vision of millions of people walking towards understanding, walking in the other person's shoes; and at a 5 APRIL 1990

time when tensions are rising over our linguistic duality and our changing population mix, we can try a little harder to be the sort of people he dreamed of: open-minded, fair and generous towards others.

Martin Luther King will always live on in our hearts as the most significant role model for which all of us may strive. May we reach that goal, and as we reach for it, the goal of caring for each other in a total way without limitations of our differences.

May we always remember Martin Luther King's own words:

"We must develop and maintain the capacity to forgive. He who is devoid of the power to forgive is devoid of the power to love. There is some good in the worst of us and some evil in the best of us. When we discover this, we are less prone to hate our enemies. Love is the most durable power in the world. This creative force, so beautifully exemplified in the life of our Christ, is the most potent instrument available in mankind's quest for peace and security."

## STATEMENTS BY THE MINISTRY

# GREATER TORONTO AREA RAPID TRANSIT

Hon Mr Wrye: Two weeks ago the Premier addressed the challenge of managing growth in the greater Toronto area in a way that preserves the natural environment, promotes long-term prosperity and maintains a high quality of life. The government believes the way to keep the GTA moving and growing in an environmentally responsible manner is rapid transit. This is why I am pleased to tell the House we are meeting that challenge through a continuous program of rapid transit development over the next decade.

This program will require more than \$5 billion worth of infrastructure investment to address the following projects: looping the Yonge and Spadina subway lines into a single system in the Finch-Steeles area; extending the Bloor-Danforth subway to Sherway Gardens; extending the Scarborough RT service north of Highway 401 to the Malvern area; building the Spadina streetcar line to Bloor; constructing the Mississauga busway from Mississauga City Centre into Metropolitan Toronto; building an Eglinton West rapid transit line connecting to the busway; extending the Harbourfront LRT east to Greenwood Racetrack and west to the CNE, and building the Sheppard subway.

This expanded municipal rapid transit network will be matched by extensive improvements to roads, highways and GO Transit. Some of these are already under way under the transportation capital program announced last year.

Our rapid transit agenda for the 1990s also includes a number of important new GO Transit initiatives to benefit commuters from outside Metro. Our goal is eventually to provide all-day, two-way service on all lines. Immediate improvements include service extensions to Oshawa, extra rush-hour trains on the Lakeshore East line and extension of the Richmond Hill service farther north to Bloomington Sideroad.

A program of this complexity requires the co-ordination and the co-operation of many levels of government and the public. Therefore, I am announcing today the formation of a transit implementation group representing the municipalities and the major transit operators. This group will provide a detailed implementation plan of the rapid transit agenda by fall.

We are now ready to move forward with our rapid transit plan for the 1990s. It will respect the environment and maintain a high quality of life, it will sustain development and our ability to compete and it will involve the public in a process of extensive consultations. When completed, the GTA will have a rapid transit network linking its major city centres that is 20 times larger than the original Yonge Street line.

1410

## ONTARIO AMATEUR SPORTS AWARDS

Hon Mr Black: I rise today to pay tribute to a group of Ontarians who have brought honour to themselves and to our province. They are the winners of the Ontario Amateur Sports Awards for 1989, an honour that our government gives to recognize and encourage excellence and leadership in amateur sports.

Each of the individual awards carries with it a grant of \$5,000, and with the team award a grant of \$2,500. These grants are given to the respective provincial sports organizations of the winners.

Tomorrow night these athletes will be among the guests of honour at my ministry's annual sports awards banquet.

The Ontario Female Coach of the Year is Marian Sweetnam of Lindsay. Since 1979 she has coached the Lindsay Lightningbolts swim team. Many of her athletes, including her daughter, Nancy, have distinguished themselves internationally.

The Ontario Male Coach of the Year is Andy Higgins, a Dryden native, who has been the head coach of the University of Toronto track and field teams since 1971. His many contributions to sport include the active role he played in the formation of the High Performance Track and Field Centre at the university.

The Ontario Team of the Year is the Heather Houston Curling Rink of Thunder Bay, the 1989 ladies' world curling champions. Team members are Lorraine Lang, Diane Adams, Tracy Kennedy and alternate and coach Gloria Taylor.

The Ontario Disabled Athlete of the Year is Joanne Bouw of St Catharines, who was also given this honour in 1986. This cerebral palsy athlete continues to set records and win medals in track and field around the world. She is also a coach.

The Ontario Male Athlete of the Year is from equestrian sports, Ian Millar. Mr Millar is the first show jumping rider ever to win the world cup for two consecutive years. He has competed internationally for 18 years and has worn the maple leaf in four Olympic Games.

The Ontario Female Athlete of the Year is Vicki Keith of Toronto. In 1989 she set seven world marathon swimming records in crossing Sydney Harbour, the English Channel, the Strait of Juan de Fuca, Lake Winnipeg, Lake Ontario and the Catalina Channel. Ms Keith used the most difficult stroke of all, the butterfly, to raise some \$700,000 for the Variety Club in the past two years.

Vicki Keith and the other award winners are champions in the fullest and best sense of the word. On behalf of our government, I congratulate all of them.

## RESPONSES

# ONTARIO AMATEUR SPORTS AWARDS

Mr B. Rae: On behalf of our party, I simply want to join in congratulating the athletes who have received the awards from the government of Ontario. They are a symbol for all of us—all of us, I say, Mr Speaker—and I want to offer my congratulations as well to the recipients of the awards.

## GREATER TORONTO AREA RAPID TRANSIT

Mr B. Rae: I might also say in one brief response to the Minister of Transportation that there was a significant oversight in the information package which he provided for members. There was no mention of any of the ridings through which these particular lines will be going. I cannot understand why those riding associations would not have been told, because that is obviously a relevant piece of information at this time.

Mrs Grier: Let me assure the member for York South that representatives of every possible riding in the GTA were there for the minister's announcement this morning; so it was very clear where the lines were going. I was there too and I would just like to say to the minister that I regret that I did not stay until the end of the announcement, but I felt it was prudent to rush to my printer and order my election signs. It seemed to be the most appropriate thing to do—

Interjections.

Mrs Grier: The Premier asked me the other day to find some charity in my heart for this government, and I wish he were here today because I want to tell him I have found some charity for this government as a result of the announcement today. I welcome their conversion and support for public transit. It is long overdue and it is indeed welcome.

I welcome the fact that the announcement we had today is a comprehensive package and that it is integrated with GO Transit. I welcome the fact that there is some move towards implementation and some faint prospect that some of these proposals will be in place before the end of this century.

However, and there is always a however, the announcement yet again gives responsibility to the greater Toronto area. Many of us do not quite know what this entity is, what its statutory authority is, what its mandate is and, most important, what its accountability is. We know that the implementation committee is going to be composed of political representatives from all the areas involved, but that is a very diverse accountability.

If what the government is saying by this announcement is that because it pays 75 per cent of the capital costs then the responsibility is primarily its and the GTA is the vehicle with which it is going to done, let's be explicit about that. Let's lay out the ground rules for the GTA.

If it is a case of the piper calling the tune, we are concerned about the opening that is left in this announcement for private sector involvement in the Sheppard line. We think that if this announcement and the lack of a firm commitment to the Sheppard line is leaving a vacuum for the private sector to move into, that is not acceptable. Public transportation is a public responsibility, and the priority of a system has got to be service to the public, not the densities and the aspirations of the government's friends in the development industry. Let's make that very clear from the very beginning.

Finally, one glaring omission from the whole package of announcements is a commitment to accessibility of this entire system to the disabled and those who need assistance in using public transit. It is not too late because the plans are not finalized, but certainly I hope that the minister will take very seriously the long history of requests to make our public transit system accessible to all the citizens of this region. We certainly will be pushing to make sure that is included as we move through the development of the package.

We are glad that after a long drought there is suddenly to be some spending on public transit and we urge that there be no further delays in getting on with it. There is no time to waste. Mr Pouliot: The minister should not be so quick to rejoice again for the people of the GTA. Five billion dollars could have allowed the minister to four-lane the Trans-Canada Highway in its entirety. There is not a single penny for public transit in nine tenths of the province—not a penny, not a dime, zilch for the people of the north. The minister is consistent, but he is not reasonable in his approach. Before the government issues the writs, it should look at the—

Interjections.

The Deputy Speaker: Order, please.

# ONTARIO AMATEUR SPORTS AWARDS

Mr McLean: I want to associate myself with the minister's response to the Ontario Female Coach of the Year, Marian Sweetnam of Lindsay and her daughter, Nancy.

Interjections.

The Deputy Speaker: Order, please.

Mr McLean: I want to congratulate the Ontario Male Coach of the Year, Andy Higgins, a Dryden native. The Ontario Team of the Year is the Heather Houston Curling Rink from Thunder Bay and the Ontario Disabled Athlete of the Year is Joanne Bouw of St Catharines.

Interjections.

**The Deputy Speaker:** Order, please. We will add a minute to the statement period.

1420

Mr McLean: I want to continue on congratulating those people that I had started out and I want to complete the list.

The Ontario Male Athlete of the Year is from equestrian sports, Ian Millar of Perth, and the Ontario Female Athlete of the Year is Vicki Keith. To Vicki Keith and the other winners, they are all champions. On behalf of my party, I congratulate all of them.

As my party's spokesperson for sports, recreation and fitness, this is the first year that I have not received an invitation to attend the sports banquet. Matters of partisan politics should not enter into this very special awards banquet. I hope the minister is not wanting to take it out on me for his failure to close the five parks in eastern Ontario and the regional offices of western Ontario. The criticism that he is getting should not be laid on me.

## GREATER TORONTO AREA RAPID TRANSIT

Mr Cousens: I am pleased that the government has responded to the transportation requirements of the greater Toronto area with its announcement this morning. I think they took the title from us when we said, "Get moving." Finally they have taken that and said, "Let's move." I really look forward to seeing this happen within my lifetime. I sometimes fear that with the announcements that we get I might not live long enough to see it all happen.

**Hon Mr Scott:** In your political lifetime you are 115 already.

Mr Cousens: I know these guys opposite might do it to me; they would love to. But I still know that the people of the greater Toronto area need to get in and out of this place, in spite of the fact that the Attorney General is here and a few others.

Within this announcement, I think we really have to look at it that there are at least eight major projects to be developed in

the greater Toronto area and none of these projects has been ranked in any priority sequence. We only know that the Yonge-Spadina loop is an important item and that the Harbourfront line will be given priority if Toronto wins the Olympics bid.

There is no guarantee that we will see these projects completed within 10 years, and who knows whether or not these mystery trains will go by the hospital beds that were promised two years ago that still have not arrived. But that becomes another part of the kind of promise we get from these Liberals.

We are talking about private sector financing. It was not that long ago that this government was saying it did not want to deal with the private sector. Now that they are looking for the private sector, I wonder what will happen. Will this government go ahead and spend the money anyway, if it does not get the private sector on the hook?

The exact alignments for the new projects have yet to be determined, so environmental assessments cannot even begin until the alignments are finalized. The Ministry of Transportation is betting heavily on lightning-fast environmental assessments. Once these alignments are chosen, then we can get on with the kind of time frame that the minister promises.

Many of these projects that have been announced today are old ones. They were called for in the TTC's transit development document entitled Network 2011. We had heard before in other announcements the Harbourfront-Spadina light transit line; the Sheppard subway has been announced; the Eglinton West rapid transit line has been announced; the improved GO Transit services to Milton and Georgetown have already been announced; the promise to improve GO Transit to Oshawa is a recycled announcement.

The government has no firm commitment whatsoever from developers. I would like to know just how they are going to get that commitment and whether or not these projects will proceed even if that commitment is not forthcoming. The minister's recycled announcements get better mileage than most TTC subway cars.

We are pleased to see significant things beginning to happen here in the province of Ontario. The government has had five years in which to do something. Now maybe we will be waiting another 10 years for the things they promised five years ago. None the less, I am an optimist. With an election coming, we can expect to see some of these things begin to happen.

We need to see the Spadina-Yonge Street loop; we need to see the improvements to GO Transit; we need to see the highways improved; we need to see the infrastructure built upon. The public relations experts who are advising the government have finally got through, along with ourselves. We have been saying transportation is the number one item in this province right now. They have to do it. They have to be environmentally sensitive; they have to be sensitive to the needs of people; they have to be sensitive to the needs of the greater Toronto area. If they follow through with this, this will be a good announcement. But I suspect we will see another 100 announcements before all this begins—

Interjections.

The Deputy Speaker: Order, please.

# RECEPTION FOR JOUZAS KUZMICKAS

Mr B. Rae: On a point of order, Mr Speaker: Like all other members, I received a circular while sitting down this afternoon at my seat, an invitation to a reception welcoming Jouzas Kuzmickas, who is vice-chairman of the Lithuanian Parliament and

member of the Supreme Council of Lithuania, in room 113 of the main Legislative Building at six o'clock.

I just wanted to inquire as to who was the host of this event and whether there have been any discussions about the nature of the gathering or whether there are going to be speeches. What is this? Is this something which is just being—we had some discussions earlier on. I had some discussions with the member for Oakwood last week.

The Deputy Speaker: Order, please. That is not a point of order; that is question. You can ask that at question period if you want.

**Mr B. Rae:** This was handed out by a page. Normally the things that are handed out to all members by a page come from someone. Who did this come from?

**Hon Mr Ward:** I believe that the invitation is being extended by the member for High Park-Swansea.

The Deputy Speaker: Is that correct?

Mr Fleet: Perhaps I could assist.

Interjections.

The Deputy Speaker: Order, please.

Mr Fleet: Perhaps the members opposite will wait for an explanation. I understand that the invitation was distributed by a page; I had no knowledge of that until I arrived in the Legislature. My understanding is that it is a reception that is being hosted by the Premier, although he will not attend. It was extended to all members of the Legislature.

I understand that these arrangements started only yesterday afternoon. That was when I first heard about it. In fact, I was waiting to speak with the member for York South but I knew, because question period was about to start, I was going to have to wait until after he asked his first question. I will be pleased to fill him in on all the information I have.

The member is well aware that a lot of changes are taking place very quickly in terms of the plans within the Lithuanian community. All members are invited and I am pleased to be able to fill in—

**The Deputy Speaker:** That is not a point of order, by the way. I am glad to help you answer the question.

**Mr B. Rae:** It is a point of good taste.

Interjections.

The Deputy Speaker: Order, please.

Mr B. Rae: I just want to signal that I find it strange that the Premier would be organizing a reception on behalf of all the members of the Legislature when none of us have been told about it. I just find it a very strange way for the Premier to proceed.

The Deputy Speaker: Fair enough.

## **ORAL QUESTIONS**

## PATRICIA STARR INQUIRY

**Mr B. Rae:** In the absence of the Premier today, I have a question for the Attorney General. We have to communicate by scrums because he is not here. I understand the Premier has told the media that there will be no further public inquiry into the matters involving the relationship between the development industry and the government of Ontario.

I want to ask the Attorney General if that is in fact the position of the government, and why he would be making that decision today when it is perfectly clear from the decision of the Supreme Court of Canada that what it objected to was not that the terms of the inquiry were too broad but, rather, that the terms of the inquiry were too narrow which, I might say to the Attorney General, were precisely the points that I made and the leader of the Conservative Party made when the Attorney General set up his inquiry.

Hon Mr Scott: I have not had a scrum today and have not communicated to the press. But like the honourable leader I have received the decision of the Supreme Court of Canada which makes it plain that the present inquiry cannot continue. The judgement of the government is that the decision of the court must be respected.

The honourable member will want to recall that this inquiry arose out of certain articles in a Toronto newspaper which were taken up, quite appropriately, in the House. A police investigation was immediately launched. Under questioning in the House, a royal commission was appointed and the court has said, as the honourable member knows, that the royal commission process cannot be used to conduct an investigation into wrongdoing. That must be done in a criminal court where the normal protections available to citizens are at hand.

The government has indicated from the beginning that it is determined to get to the bottom of these allegations. The police investigation I understand to be continuing, but the royal commission cannot proceed, by order of the Supreme Court of Canada.

#### 1430

Mr B. Rae: The Supreme Court decision makes it very clear on page 36. First of all, on page 35 it says, "There seems to be a complete absence of any broad policy basis for the inquiry." Then it goes on to say, "The terms of reference simply make no mention of an examination of the overall system governing how government officials deal with charities specifically or with respect to outside interests generally."

The court makes it very clear that what it objects to is the way in which this government tried to narrow the focus of the inquiry in such a way as to eliminate any broad policy considerations. What I am asking the Attorney General is, if he really has nothing to hide with respect to the broad policy implications of the relationship here, why does he not establish the proper inquiry that we asked him to establish last year, that is to say, an inquiry that deals with the broad problem of the relationship between the development industry and his government?

Hon Mr Scott: Respectfully, the member can play around with all the innuendoes he wants, but we have nothing to hide and have said so many times. The reality is that the Supreme Court of Canada, in a six-to-one decision differing with the eight judges in Ontario who decided the matter and who supported the inquiry, has concluded that an inquiry cannot be conducted in which the individuals who are concerned, who are at stake, are compelled to give evidence.

As the honourable member knows, any inquiry, no matter what the terms of reference said, would ultimately come down to certain people giving evidence under compulsion, which is the royal commission rule. The Supreme Court of Canada has said that the effect of that, and not only the terms of reference, is to deprive citizens of the benefits of a police investigation and the benefits, if necessary, of an appearance in a criminal

court. Simply, only the police and the criminal process can do

No matter how we describe the terms of reference, if the actors in the drama cannot be examined under oath before the inquiry the process would be meaningless. The court has made that perfectly plain.

Mr B. Rae: What the court has made perfectly plain is that the way in which the government drew up its inquiry caused it problems. The court has not said there cannot be an inquiry. The court has not said there cannot be royal commissions carried out by the province. In fact, the court makes it very clear that the province has the right and responsibility to deal with matters under its jurisdiction. The development industry, the government of Ontario, municipal officials, these are areas in which this government can make decisions if it so chooses.

If the Attorney General has nothing to hide, why will he not set up the kind of inquiry that the Supreme Court of Canada says he could have set up in the first place if he had really wanted to?

Hon Mr Scott: I think the honourable member overlooks the impact of this decision, which has implications not only for this inquiry but for other royal commissions going on and very likely for legislative committees of the Legislative Assembly. When the court says, although it may not have intended the result, "The province has created an inquiry that in substance serves as a substitute police investigation and preliminary inquiry with compellable accused," you can see the ramifications of this decision. When you are looking into questions of wrongdoing and you have compellable accused, the inquiry cannot proceed except in a criminal court.

My friend may feel there will be people on this side who feel that the judgement of the eight judges of the Supreme Court of Ontario, which supported the inquiry and its purpose, is to be preferred, but that is not the issue. The issue is that the Supreme Court of Canada has spoken and this process cannot take place.

Mr B. Rae: Let's be very clear. We are not talking here about some fine legal arguments; we are talking about the basic political responsibilities of this government. The Supreme Court of Canada has made a ruling, which all of us respect; that is fundamental. But the Supreme Court of Canada has also said that it is the terms of reference and the nature of this Liberal government inquiry that is faulty, not all royal commissions.

Is the Attorney General saying that any royal commission inquiry into the relationship between the development industry and the government of Ontario in terms of charitable organizations and the government of Ontario, any broad inquiry of that kind, he considers to be impossible because of this ruling? If he is, I say to him that he is hiding behind the ruling and using the ruling for his own political purposes.

**Hon Mr Scott:** I do not get into the business every day of assigning motives. In a couple of years, when the member reads that page in Hansard, he will be embarrassed.

The reality is this: The court has said that the effect of the inquiry is what one must examine. You cannot do indirectly what you are prevented from doing directly. If there is an inquiry into wrongdoing, that inquiry cannot be conducted if the wrongdoing might amount to a criminal offence except inside a criminal court.

If a broad inquiry were instituted into the development industry, there might be nothing wrong with the terms of reference, but as soon as that inquiry began to talk to people about matters that might amount to wrongdoing, it would have to 5 APRIL 1990

stop, because it would be engaging in that investigation and taking that testimony by compulsion. That is the effect, I believe, of the Supreme Court of Canada decision.

It is not a novelty in this sense. Only last week, as the member will know, the Supreme Court of Ontario gave a decision in the Beckon case, which is a case having to do with the ambit of coroner's inquests, and came to a very similar conclusion.

Mr B. Rae: Is the Attorney General then saying that his terms of reference and the fact that they were narrowly construed, the fact that it named particular people, the fact of Mrs Starr and the Tridel Corp, had nothing to do with the court's decision? Is he making that point?

Hon Mr Scott: Of course I am not making the point. The court looked at all the circumstances. What the member wants to do is see if he can narrow it down to one fact or two facts and assign motives and say it is because I am hiding something. I am hiding nothing.

The reality in this particular case is that the court looked at all the circumstances of the inquiry and concluded that while it may not have intended this result, the province has created an inquiry that in substance—in substance, not in form—serves as a substitute police investigation with compellable accused, and that this is not permissible.

We intend to respect that decision. There is nothing for it but to do so. But I want to emphasize once again, as the Premier has said, that the police investigation is ongoing. If there are people who have broken the law of the government of Canada or the law of the province, they will be brought to justice.

Mr B. Rae: The Attorney General says the police investigation is ongoing. On 9 September 1989 Metropolitan Toronto Police Inspector Leo Campbell, who is heading the investigation for the inquiry, was quoted in the Globe and Mail as saying, "Any criminal investigation has been suspended," and in fact was suspended quietly in June 1989, because the inquiry is ongoing. I want to ask the Attorney General these precise questions: When was the police inquiry suspended? When precisely was it resumed?

Hon Mr Scott: The Solicitor General probably will be able to provide the detail, but let me say to my honourable friend that the investigation was not suspended in that sense. Inspector Campbell is an investigator for the Houlden inquiry and was under the direction of the Houlden Inquiry. An investigation has been conducted and is being conducted by the Metropolitan Toronto Police and, I believe, the Ontario Provincial Police working together. Whether there was a hiatus, I cannot tell the member the date. We launched an investigation and it is ongoing.

## 1440

Mr Brandt: I have a question for the Attorney General. Since the Attorney General is aware that the inquiry was called not only to look into potential areas of criminality but also—I think this was one of the key focal points, at least it was enunciated by his government—to restore confidence in the system, what does the Attorney General intend to do now if there is no possibility, from what I interpret his words to mean, that any form of inquiry can be structured or held to look into these allegations and problems?

**Hon Mr Scott:** As the honourable member knows, there are a number of other investigations ongoing which will come to result in the normal way.

Mr B. Rae: Yes, after an election.

**Hon Mr Scott:** The first, of course, is the police investigation—and if the Leader of the Opposition would have the courtesy to allow me to provide an answer to the leader of the third party—

Mr Laughren: Don't be so precious.

Mr Eves: Look who's being so courteous, old big-mouth himself.

Hon Mr Scott: Yes. First of all, there is the police investigation under way. Second, the member will recall the auditor made an investigation into the relationship between the Minister of Housing at that time and one Chiesa and gave the then Minister of Housing a completely clean bill of health, by the way. The public trustee has made an investigation and that report is already public.

There are, I believe, certain matters of complaint arising out of these allegations before the Conflict of Interest Commissioner which are either proceeding or have been awaiting the result of the Houlden inquiry, and there are certain matters that are within the purview of the Commission on Election Finances and which it has before it and to which it can respond. In that way, and through that process, the facts will become known.

Mr Brandt: When the inquiry was being proposed, the Attorney General will recall there was an informal meeting held between the Leader of the Opposition, myself and the Attorney General, at which time, although there were differences in the way in which we wanted to approach this matter, I think there was a commonality of appeal on the part of the opposition parties to expand the terms of reference of the inquiry and to not focus them as narrowly as the Attorney General did. Our concern was that there were other matters that were not specific to some of those named in this particular case that should be looked at.

Will the Attorney General not admit to this House that one of the reasons the Supreme Court decision was brought down in the substance and form in which it was, was specifically to do with the fact that he botched up writing the terms of reference?

Hon Mr Scott: I do not believe I botched up writing the terms of reference, and as I had very active support from the leader of the third party, who I believe agreed with the terms of reference, if I did botch up, he is going to have to take some of the responsibility with me.

But the reality is this: The case is being made, no doubt, that if the names of certain actors had been removed from the terms of reference or it had been less focused in terms of reference, the commission would have been allowed to proceed. In my respectful view that is an error, because it does not look at what the court was really concerned about. The court was concerned about forcing people, by virtue of the Public Inquires Act, to give evidence without any of the protections that a criminal court makes available in cases that may amount to self-incrimination. So if the terms of reference had been drafted differently, the terms of reference might have passed muster, but it is clear that none of the persons we are concerned with would have been required or able to give evidence.

Mr B. Rae: That's not what they say, Ian.

Hon Mr Scott: That is precisely what the Supreme Court of Canada has said and that is why I am confident this decision not only affects and terminates this inquiry but may indeed terminate some others or restrict significantly the way royal

commissions and the legislative committees of this House can be used.

Mr Brandt: As I understand what the Supreme Court decision indicated, an inquiry was quite proper and most appropriate in terms of an area of provincial responsibility. I am sure we have agreement with the Attorney General on that point. However, when it got into the precise investigation of individual actions within the context of that particular inquiry, there was some problem.

Is the Attorney General saying to us then—by their very nature every inquiry I can think of will at some point or another involve the review of the activities of an individual within that inquiry—and is his interpretation of the Supreme Court decision one that says there will never be another inquiry on the part of the provincial government? Is that what he is saying? By extension, that is the logic I get out of his argument.

Hon Mr Scott: That is the trouble with taking something and extending it too far. That is not what I intended to say. What I intended to say was that it is apparent from this decision—although the terms of reference may in some instances have a bearing, as they clearly did here—that when an investigation begins and compels people to give evidence that may incriminate them, it is an invasion of the criminal law field. That position was reached by the court without even considering the charter arguments.

Now let me give an example that is in a sense academic. It would not be inappropriate, it seems to me, to launch an inquiry into election practices in the province; but if the ambit of the inquiry led the commission to ask questions that might indicate a person had breached the Criminal Code in the election contributions he made, that would be absolutely prohibited by virtue of this court's decision. The court's response, and we must accept it, is that at this point the matter becomes a question of wrongdoing for a criminal court so that the persons involved can have the protections of the criminal system. That is the way the Supreme Court of Canada has adjudicated this principle of fairness and it for us all to comply with it.

Mr Brandt: I want to turn to the Solicitor General, if I might, for a moment. Some 10 months ago this House was advised of a full and comprehensive investigation that was to be undertaken by the OPP relative to areas of potential criminality, as the Solicitor General is aware. We have been advised now that this investigation was quietly suspended while the inquiry was under way.

Can the minister advise this House, in order to get to what I believe to be the essential root of this entire question, namely, the restoration of public confidence in this system—it deals with campaign funds, as the minister knows; it deals with the independence of certain operations of government from other operations outside of government—in light of the fact that this inquiry will not be continuing, what actions he intends to take to fulfil his responsibilities to the people of Ontario?

Hon Mr Offer: In response to the question let it be very clear that there were in fact at least two investigations being undertaken, one directly related to the Houlden inquiry and another that was a police investigation, a joint forces operation comprising both the Metropolitan Toronto Police and the OPP. In that investigation, and that is the one I will particularly speak to, the joint forces operation and investigation has been ongoing for a number of months. It involves five or six police officers specifically charged with the responsibility of that investigation and it has never been stopped.

Mr Brandt: Since in the past we have had some difficulty in getting any information in connection with the activities of the OPP relative to these ongoing investigations, what is the minister's intent with respect to any form of public disclosure relative to the investigations themselves? Is it the minister's intent to continue, as he has in the past, to keep this House and the people of Ontario totally in the dark or is the minister going to release a report at the end of the investigation?

Hon Mr Offer: I think the honourable leader of the third party should be aware that this investigation has been carried on by a joint operation between the OPP and the Metropolitan Toronto Police. There are six officers involved in this investigation. They have been conducting that investigation. This investigation is continuing and will continue until it has been completed.

## 1450

Mr Brandt: Could the Solicitor General also comment on the review of this matter that was being undertaken, as he is aware, by the Commission on Election Finances, by the Conflict of Interest Commissioner and by the public trustee? They do in fact have other ministries, other departments in which they report. Would the minister give some undertaking to the House on behalf of the government that there will be access to this information on the part of the opposition parties, and through us, obviously, to the public, as it relates to its investigation of any potential wrongdoing that was undertaken by the individuals involved?

Hon Mr Offer: I think the question of the honourable leader of the third party points to the fact, and the observation is to be made, that a number of investigations have been undertaken from the beginning and that there are different forms for each investigation. One was, of course, that which was particularly attached to the Houlden inquiry, and others through, for instance, the public trustee's office and the Commission on Election Finances. The member's question points to the fact that those particular investigations were ongoing.

In my responsibility and role as the Solicitor General, I am involved and particularly responsible for the police investigations. On that one aspect of investigation, there is a joint operation comprising the Metropolitan Toronto Police as well as the Ontario Provincial Police composed of five or six officers, with a view to fully investigating the matter and acting accordingly.

I think the honourable member should be aware that with respect to all of these investigations, there are different forums in which each of these investigations is to be undertaken and has been undertaken.

Mr B. Rae: Mr Speaker, on a point of order: I ask that the record be corrected. I never attended, as was stated by my colleague from the Conservative Party, at any time any discussions with the Attorney General with respect to the establishment of this inquiry. I refused to, precisely because of the problems we are now into.

The Deputy Speaker: Order. New question.

Mr Brandt: I feel compelled, as a point of order-

The Deputy Speaker: No. Order. It is not a point of order.

Mr B. Rae: I have a further question of the Attorney General. Mr Justice Lamer, in his decision, makes it very clear what is wrong with this inquiry, what is different from the inquiry that was set up by the Liberal government, what makes it different from all the other inquiries that have been the subject

417

of review by the Supreme Court is that private individuals are named and Criminal Code wording is used in establishing the reference for the commission.

Mr Justice Lamer says at the end of his decision, "It is therefore clear that provinces should be given ample room within their constitutional competence to establish public inquiries aimed at investigating, studying and recommending changes for the better government of their citizens." Why would the Attorney General not take those words from the judge as meaning to say you can establish a commission of inquiry that looks into broad questions dealing with the relationship between charities and this government, between the development industry and this government and establishing confidence in the system with respect to how public officials and Liberal Party officials conduct themselves? What the Attorney General cannot do is go on a witchhunt against particular individuals who are named in his terms of inquiry.

Why would he not understand the difference between those two things?

Hon Mr Scott: Any inquiry about election expenses is not ruled out by this. What is ruled out is an inquiry that directs itself to whether contributions were illegally made or illegally received, which is what this whole case was about from the beginning.

Mr B. Rae: No, it is not. That was the Attorney General's decision.

**Hon Mr Scott:** It was alleged that Mrs Starr—the member will remember the name—had made illegal contributions.

Mr B. Rae: Bigger than that, bigger than that.

**Hon Mr Scott:** About that, if the Leader of the Opposition will just sit by for a moment, Mr Justice Lamer says this:

"One of the implications for allowing the inquiry to go on is that the inquiry can compel a witness who is really one of the named 'suspects' to answer questions under oath, even though that person could not have been compelled to provide incriminating evidence against herself in the due course of a regular police investigation."

What the honourable member wants to know is that regardless of the breadth of the terms of reference, if these witnesses were to be giving evidence, that would, as Mr Justice Lamer says, in effect be to do indirectly what you cannot do directly. That is, of course, I believe, a fair reading of the court's decision and it must be obeyed.

Mr B. Rae: I think the Attorney General has a responsibility to the people of this province, and that responsibility is to establish an inquiry that will restore confidence in the integrity of the way in which this government's planning decisions are made and the way in which municipal officials' planning decisions are made. He has a responsibility and the Premier has a responsibility to establish a sense of integrity that people matter more than the power of some private individuals.

What the Supreme Court of Canada has said is that you cannot have an inquiry which names individuals and which is a substitute for a police investigation for a preliminary inquiry. That is what we warned the Attorney General about nearly a year ago when he went off on this track. Why not get to the bottom of this matter in terms of the relationship between those who have power and those who are elected?

**Hon Mr Scott:** At the end of the day we must come back to the facts, and the facts are that after a series of articles in a newspaper in which the names of people whom most Ontarians

had never heard of became provincial bywords, the matter was raised by my honourable friends in the House.

I said we would launch, and we did launch, an immediate police investigation, which was designed to be as complete and as thorough as we could make it.

Not satisfied, and I understand why, certain people wanted a royal commission. We established a royal commission designed to canvass the matters of irregularity that were raised. It was attacked by the people who were called to give evidence before it. It was not attacked by me; it was attacked by the people who were subpoenaed to give evidence and who were participants before the inquiry, the very people whose names had been mentioned in the newspapers and raised in the House.

We brought the matter to a court, as we were obliged to do, and eight judges of the Supreme Court of Ontario unanimously supported the correctness of what we were doing. Now the Supreme Court of Canada has reversed that determination. I am sorry it has happened, but it has happened, and we must live with the results.

Interjections.

The Deputy Speaker: Order, please.

**Mr Brandt:** I can see that the Attorney General is heartbroken over the decision. I want to give him an opportunity to heal his heart, because I can see that he is just distraught in the extreme about what has happened here.

Aside from the OPP investigation and some of the other reviews that will be ongoing, what is the intent of the Ministry of the Attorney General and the government of Ontario with respect to the next step that should be taken relative to restoring what I believe to be a very important and fundamental part of this entire exercise, namely, the public's confidence in the system?

Whether the Attorney General believes this or not, that is what is on trial here. What is on trial is whether or not the government operated appropriately and whether the actions taken by certain individuals were appropriate. The Attorney General has a certain responsibility here. I ask him, what does he intend to do?

Hon Mr Scott: The honourable member is of course entirely right. In the minds of many citizens, the system is on trial. But trials take place in courtrooms; they do not take place in the Legislature and they do not take place in the newspapers. What the Supreme Court of Canada has said is that when there is a trial, particularly if there is an allegation of criminality, it should take place in a criminal court, where protections are available.

I have brought to the honourable member's attention the fact that a police investigation within the Solicitor General's purview is being conducted. If it produces charges, they will be prosecuted to the limit of the law. The Commission on Election Finances has certain rights. The Conflict of Interest Commissioner has certain matters before him. The public trustee has matters before him. All those matters can take place, including, if necessary, if there is evidence, criminal trials. But I am with the honourable member. Criminal trials cannot, and the Supreme Court of Canada has said now must not, occur either here or in the newspapers.

## 1500

**Mr Brandt:** As the Attorney General well knows, this matter cannot so narrowly be defined as just a criminal matter. There is a question of perhaps influence peddling involved.

There is a matter of conflict, which is not a criminal offence. There is a matter that relates to the conduct of certain ministers of the crown as they relate to this particular matter. What does the Attorney General intend to do beyond simply, as I read it from what he has said to date, whitewashing the whole thing and hoping to sweep it under the rug?

Hon Mr Scott: The honourable member says there are matters at stake about improper influence and about the conduct of individuals, particularly ministers. The honourable member will know that the kind of conduct that has been alleged is prohibited by the Criminal Code and other federal law. The police are precisely investigating those questions. When the investigation is complete, the crown law officers will prosecute any charges that have been laid. I commit the House to that proposition.

The honourable member then goes on to say that there may be questions of conflict of interest. There may be, and I understand that there are some allegations of conflict arising out of this matter before the Conflict of Interest Commissioner. He will decide those cases in the way his statute provides, I am confident. That is the appropriate response to these problems in the light of the decision that has been given today.

## TENANT HOTLINES

Mr Faubert: My question is for the Minister of Housing. I understand that the Ministry of Housing has advised the Federation of Metro Tenants' Associations and the Federation of Ottawa-Carleton Tenants' Associations that the government is discontinuing its funding of tenant hotlines. This withdrawal of funding has naturally caused a great deal of concern among all those interested in support of tenant rights and tenant advocacy. Would the minister please advise this House of the reasoning behind this decision.

Hon Mr Sweeney: Approximately two years ago, the Federation of Metro Tenants' Associations drew to the attention of the Ministry of Housing that while both it and our ministry operated an open line for tenants during regular day hours from nine to five, there was no service for tenants after hours, and indicated five o'clock to eight o'clock. At that time, to test whether or not such a service was necessary, we supplied funds to the tenants, association to set up such a hotline from five to eight o'clock each evening and from ten to one on Saturdays. We did that for one year. That was extended for five months and then extended for another six months, I think it was, for a total of 22 months.

At that point in time we realized that this service should be available across the entire province. We had a request and had provided the service in Ottawa, but we also had requests from places like Kingston and Hamilton, for example, just recently, and decided it would be more appropriate to use those same funds as a province-wide hotline. That is what we have done.

Ms Poole: The minister has indicated that his decision was based on cost-effectiveness, since too few calls were being handled by the tenant hotlines. However, when making his decision, did the minister also consider the high quality of the service provided by the tenant federations in both Metropolitan Toronto and Ottawa? Was he aware that the tenant hotlines offer a much more comprehensive service than rent review, including tenant advocacy, information on landlord and tenant matters, the Rental Housing Protection Act, municipal bylaws and referrals to legal, social and housing agencies?

Hon Mr Sweeney: My honourable colleague is certainly correct that the quality of the service being offered was quite high. I do not think anyone has suggested that it would be otherwise. However, I would draw to her attention that after two years of operation, the Metro tenants' phone service was drawing approximately six calls a day. For that, we were paying a very, very high rate indeed, in excess of \$42,000 a year.

The province's hotline has now been in operation only this week, and we are drawing 17 calls a day, half of them from Metropolitan Toronto. So I would have to say that if we can cover the entire province, if we can do it in both official languages, if we can provide service to the hearing-impaired and if we can provide service to more people, then that is a more efficient use of the resources that I have available. If I had resources to provide this service in all of the communities across the province that wanted it, I would certainly attempt to do so. Quite frankly, I do not, and I have to make the best use of the resources that I do have available.

The Deputy Speaker: Before we proceed with the next member, may I remind members that for questions and supplementaries, multiple-choice questions or answers are not the point.

## ATTENDANT CARE

Mr Allen: A question for the Minister of Community and Social Services: I want to ask the minister about Caroline Meredith. Caroline Meredith is a young woman who is severely mentally and physically handicapped. In her original family, she was sexually abused. In the subsequent family with which she stayed, she was sexually and physically abused. The principal of the school to which she went pleaded with an aunt and uncle to look after her for the remainder of her school years, which they have done. But now the two of them work; they can no longer afford to keep her at home. She will be 21 and ineligible for further school or support after 21 June. There is no place for her to go because the Ministry of Community and Social Services has refused to provide a one-to-one person who will support her after her departure from school. What does the minister propose to do for Caroline Meredith?

Hon Mr Beer: The honourable member has underlined an area that, quite frankly, is becoming particularly troublesome in terms of the resources that are available to meet the growing number of people who are passing beyond that age when they can be supported within the school system, and we are increasingly being faced with requests to provide similar support.

I am not aware of this specific case and will certainly make a commitment to the honourable member to look into that case in particular, but I would say that we are developing programs, trying to look at a number of different ways in which we can assist those individuals, whether on a one-to-one basis or in some group home setting. I think that during the rest of this decade we are going to find increasing pressure on this, and we are going to do our utmost, working with our partners in the community, to ensure that we can meet that need.

Mr Allen: The issue may be more urgent than the minister is aware, because a month ago the Merediths, the uncle and aunt, wrote to him to tell him that as of 25 June, if there was no program available, this young woman would be deposited at the door of his office with all her luggage, and he would have the care of her in his own hands. They are not alone. There are waiting lists, for example, at the Reena organization, which is one of the bigger service agencies for day care provision for

such young people. You do not get into that institution unless somebody dies. The waiting list is almost permanent.

In Hamilton, there are waiting lists to get on the waiting list. In the Metropolitan Toronto Association for Community Living, with 60 on the waiting list, they are expecting 40 more as soon as this school year ends. Do people in this situation really have to resort to the threat or the actuality of dumping their wards, their children, at the minister's door in order to get real support for their real dilemma?

Hon Mr Beer: Certainly no one wants to see that situation arise, and I believe that we can all understand the frustration and the concern that is faced by parents, relatives, family, friends, who feel that there is no other option. I can assure the honourable member that in each case that does come to the attention of our ministry, we do sit down to attempt to work out a solution to that particular individual's problem. I would say that we are aware of that greater need and are trying to look at how we can better allocate our resources so that those waiting lists can be cleaned up. In fact, are there other ways in which we can assist those individuals? This is a real problem and a real issue, and we are going to do our very best to ensure that the resources are there to help those individuals.

1510

#### CONTAMINATED SOIL

Mrs Marland: My question is for the Minister of Government Services, in spite of the fact that the Minister of the Environment has just jogged into the chamber.

The Minister of Government Services has released a press release as of an hour ago. Unfortunately, we now all know that we have another low-level radioactive waste site in the city of Scarborough, in the district of Malvern. We are very concerned to know of this secondary location to McClure Crescent. My question to the minister is this: I understand that he has known about this site since 22 March, which is now 12 days ago. We would like to know what his plans are to ensure the security of the site and the safety of the area residents.

Hon Mr Ward: As the member knows—I believe she was fully briefed today—the Ministry of Government Services hired consultants to do some routine tests for environmental contamination on some vacant lands, owned jointly by the province and the federal government, in the Malvern community in anticipation of some further development. During the course of those routine tests there was a preliminary indication that they felt there may have been some trace elements of radioactivity. It was further examined by the joint team under the guidance of the low-level radiation unit from the federal government. As soon as it was confirmed that there were some spots with higher readings than were acceptable, the sites were immediately fenced. Further testing is going on and a joint team is working on coming up with some proposals for remediation.

Mrs Marland: I will give the minister the benefit that he did not hear the question while he was coming into the House, because the information he has just given me is in the press release. My question, however, is not in the press release.

We have the example of the McClure Crescent contaminated soil that still has not been removed. The concern that we have is, what is he going to do to guarantee the security of this site while he decides what to do with it and can he guarantee the safety of the area residents in terms of health? Why does he not move both lots of soil, McClure Crescent and this site, to the radioactive site that is licensed by Ontario Hydro?

Hon Mr Ward: I am grateful for the question. The member knows that the federal low-level radioactive waste management office has responsibility for removal. The member also knows that we have been trying for years to get the federal government to move the soil out of McClure Crescent. She knows that these lands are jointly owned, 75 per cent by the federal government and 25 per cent by the province of Ontario. I know she will do everything she can, as I will, to press upon our federal counterparts the need to remove this material.

I do want to say this, though, that the levels do not, as I understand it and on the advice that we received from the officials involved on the team, represent a health hazard. As a precaution the sites have been fenced. We will work jointly with our federal counterparts, as well as the local medical officer of health, to make further determinations. We are looking at ways in which the contaminated soil can be appropriately identified. If it is just a case of removing pieces of plastic tubing, for instance, that may be buried there, they will be identified, extracted, removed and disposed of elsewhere.

# CAPITAL FUNDING FOR SCHOOLS

Mr Pelissero: My question is to the Minister of Education. On Monday night an information session was sponsored by the Grapeview Parents' Association. Representatives of the city of St Catharines parks and recreation department, the Lincoln County Board of Education and the Ministry of Education were in attendance, and I was in attendance.

We heard that for the last three years Grapeview School, which was given permission to be demolished in September 1989, was the Lincoln County Board of Education's number one priority. We heard that since 1987, 2,500 new homes have been constructed and that another 1,200 will be built in the next two years. The city of St Catharines and the Lincoln County Board of Education are willing to co-operate with respect to a sports facility.

Can the minister inform the House when he expects to announce his capital expenditure funding for the coming year?

Hon Mr Conway: It is that time of year again. I must congratulate the member for Lincoln for making—what shall I say?—very vigorous representations on behalf of his community. He is quite right in observing that the Grapeview School situation is a recognized pressure. The meetings to which he makes reference are meetings of which I am keenly aware. I expect to be making the annual capital allocation for elementary and secondary school purposes within two to three weeks.

Mr Pelissero: At the same meeting, as I mentioned, we learned that a new subdivision is under consideration in West St Catharines. Does the minister have any advice to either the Lincoln County Board of Education or the Lincoln County Roman Catholic Separate School Board with respect to funding for new schools in new growth areas?

Mr Villeneuve: Yes, nail them with lot levies.

Hon Mr Conway: Yes, I have some advice for my friend the member for Lincoln, and for our friend the member for Stormont, Dundas and Glengarry, who seems to be agitated on this subject. I would advise the member for Lincoln to tell his school boards that they would be very wise to make every effort to make full and efficient use of existing physical plant, and I really mean that. I know something of the situation in the Niagara Peninsula and while I recognize that there are growth pressures, I also recognize that there are taxpayers supporting

both school boards in that area who would want me to say on their behalf that, whatever we do, we should take into account maximum use of the multimillion-dollar facilities that are already there.

Our friend the member for St Catharines-Brock just sent me a note about some other pressures in that area. To the extent that there are going to be growth pressures, I would observe as well that as a result of recent legislation school boards that face growth pressures should be looking to the lot levy as a way of assisting the relief of growth-related pressures in that area.

## ALZHEIMER'S DISEASE

Ms Bryden: I have a question for the Minister of Community and Social Services. I am sure the minister is aware that Downsview Services To Seniors in North York, which operates a unique daytime care program for victims of Alzheimer's disease, announced last week that it had been forced to close the program because of a lack of adequate funding support from his ministry. I understand that this very important program for Alzheimer's victims was offered only a four per cent increase in its grant, below the inflation rate and ignoring the fact that the service requires one-to-one operation and would cost \$65,000 more next year.

As a result of this, these six Alzheimer's victims may be forced into already overcrowded hospitals and nursing homes. What is the minister prepared to offer in the way of alternative services in their own neighbourhood so that they can be kept in the community and can improve the quality of their lives?

Hon Mr Beer: The honourable member raises an issue that is very important to the work of our ministry and to many of the community associations with which we are most involved. The honourable member would want to know that we fund something in the order of \$400,000 to that particular association. Officials from my ministry met with them earlier this year, I believe in January or February, to look at a number of the program areas they had and to talk about the need for more funding. That funding is continuing. We are continuing to work with the association.

What we did say was that they might want to look at some of the programs they were doing in terms of whether there were other services in the community, so that they could focus on some of the unique things they were doing. It is our belief, through my officials in the area and working with them, that we will be able to accommodate the individuals the member referred to. But I want to stress that our funding of that organization continues. It is one that we have been working with for some time and will continue to work with.

Ms Bryden: What I am talking about are six Alzheimer's victims for whom services will not be provided in this particular agency. Those six will have to go into hospitals or nursing homes or stay at home with no assistance at all to their care givers at home. So we are talking not about whether that organization, Downsview Services to Seniors, will continue, but whether these six will receive services on the one-to-one basis that is required for their care. Therefore, I am asking that the minister consider, in his review of long-term care, instituting a program to help such victims of Alzheimer's disease in order to keep them in the community.

## 1520

Hon Mr Beer: Certainly, within the context of long-term care and the kind of support that I believe we will be able to make to a number of organizations in the community,

Alzheimer's day care being one very important component, we would be able to do that. I will certainly look into the specific case in terms of the six to see what can be done to help them. As I say, it was my understanding that we would be able to find support for all of the people involved, but I understand from what the honourable member has said that there is this specific problem. I will get back to her.

When we are looking at the strategic document I will be releasing shortly around long-term care, this is one of the critical areas where we want to make sure that we can do more throughout the province in terms of helping those who are providing important day care programs, not only in the Alzheimer's area but in many others.

## RECEPTION FOR JOUZAS KUZMICKAS

Hon Mr Ward: On a point of privilege, Mr Speaker: I may have inadvertently misled the House earlier today when I indicated that, with regard to tonight's reception for the vice-chairman of the Lithuanian Parliament, the invitation was extended by the member for High Park-Swansea. In fact, it is being hosted by the Minister of Citizenship. It was done on very short notice because of uncertainty about the itinerary. I apologize for any inconvenience, unavoidable though it is, that this may have caused members.

#### HIGHWAY CONSTRUCTION

Mr Sterling: I have a question to the Minister of Transportation. People in the greater Toronto area may be very happy about hearing about \$5 billion in expenditure for the greater Toronto area, but the people in eastern Ontario are sick and tired of being treated as second fiddle to this area. Yesterday we had the fifth fatal accident on Highway 17 between Arnprior and Renfrew. The people in that area have been asking the minister for a four-lane highway there for years. Mayor Terry McCann of Pembroke says: "We have to be realistic. Four lanes are necessary." The county warden, Kevin Hall, described the accident as outrageous. The people of Renfrew county are more determined now than ever to have a four-lane highway.

My question to the minister is, why is he going to waste \$10 million on intersection changing and three-laning certain parts of it when in fact the number of accidents in that area is horrific and a four-lane highway is needed right away?

Hon Mr Wrye: Clearly, I very much regret the very tragic accident yesterday, in which unfortunately a number of individuals lost their lives, and have asked for and received a preliminary report on the causes of that accident. But my honourable friend would know, because we have had discussions on this, that we have put together a very aggressive plan of improvements along that stretch of highway.

My friend and colleague the Minister of Education has taken a great leadership role in ongoing discussions with me because he is very, very concerned as well, as are all honourable members from that area, about this issue. We have put in place a very aggressive schedule in which we plan to four-lane the highway to Arnprior—the honourable member would know that we expect that to happen by the middle part of this decade—at a cost of some \$150 million. At the same time he would want to know, and he does know, that we intend to put in place a number of passing lanes, I believe an additional 12 passing lanes, along the stretch immediately west of Arnprior in an effort to reduce the kind of tragic situation which occurred yesterday. Our experience in the past has been that those passing lanes do reduce those situations.

421 5 APRIL 1990

Mr Sterling: The \$10 million that is expected to be spent between Arnprior and Pembroke represents one fifth of one per cent of the expenditures that the minister is going to spend in the GTA over the next 10 years. The minister knows that this area of Highway 17 is becoming known as a killer strip and that there have been a number of fatal accidents along that way. Why on earth would he not look ahead and listen to the local politicians of the county of Renfrew, who are not getting support from the member for Renfrew North in terms of their quest for a four-lane highway? The town of Renfrew and the town of Pembroke could use the extra help in terms of spurring economic development in both of those towns. Why not build it now and prevent these kinds of accidents and provide the economic development that area so sorely needs?

Hon Mr Wrye: One is terribly tempted to remind the honourable member that in the days when he had the responsibility, as a member of the executive council on this side of the House, Highway 416 went absolutely nowhere. One would be tempted to remind that same member that Highway 417 went absolutely nowhere. One would be tempted to remind him that all of the improvements that have now taken place within the regional municipality went very slowly indeed.

I would also ask my honourable friend, perhaps when he returns home this weekend, to remind the government of Canada, which has put money into the Trans-Canada Highway system in every other province other than this, that we too, as we move forward very aggressively all over Ontario with the kind of improvements that he wants and that I want, could use even a few million dollars of help from the federal government.

## WOMEN IN FILM

Ms Oddie Munro: My question is to the Minister without Portfolio responsible for women's issues. A significant part of the Canadian film and television industry is in Ontario. I have always been proud of the contribution of women to this industry, yet a recent 1989 study prepared for Toronto Women in Film and Video shows that women in this industry are underrepresented and paid less than men. In light of this report, I would like to know what the government is doing to improve conditions for women in the film and TV industry in Ontario and to encourage young women to consider entering this career.

Hon Mrs Wilson: My ministry, the Ontario women's directorate, contributed \$15,000 towards the preparation of this report. The report provides valuable data that we will use to improve employment patterns for women in the film and television industry. My ministry will also continue to work with Toronto Women in Film and Video to encourage initiatives, particularly within Ontario government agencies, that will respond to the findings of the report.

We need to encourage women to take part in non-traditional careers, such as film, in order that we can have a strong economy and contribute to the financial and economic equality of women. The Ontario women's directorate is involved in developing a number of tools, such as videos, manuals and role-modelling programs, for use by educators and trainers in their work with young men and women so that we can encourage young men and women to base their choices of educational and career decisions not on narrowly defined stereotypical ideas about what is men's work or women's work, but instead on their talents, abilities and interests.

Ms Oddie Munro: I think we are aware when we take a look at the representation that women are notably not present in the higher management and creative positions, which to some extent amounts to role stereotyping. I am wondering if the minister could specifically tell me what kind of action she would foresee to encourage women to take a look at the management and creative positions that are available to them.

Hon Mrs Wilson: The report did indicate that there is some improvement. Last year, the 34 per cent of the graduates from film and broadcasting courses were women; the year before, the number of women graduates was 23 per cent. We are working with the data that will come out of this report to encourage more women to enter and to graduate from film courses. Along with role-modelling programs, we are working with various communities, with trainers, with educators to provide them with the tools to make those encouragements to young women, and to young men, to look beyond the traditional into the nontraditional. Our economy needs to make use of all the human resources in order to keep our economy competitive.

1530

# **PETITIONS**

## SAULT STE MARIE JAIL

Mr Morin-Strom: Mr Speaker, I have a very serious petition that has not been presented previously in the Legislature and, with your indulgence, I would like to read it because it is relatively short:

"To the Legislative Assembly of Ontario:

"Whereas the staff of the Sault Ste Marie jail is forced to work in an environment that is stressful and dangerous due to items such as a steel ruler, a utility knife and an unknown amount of replacement blades, and most recently, a pair of scissors that has not been recovered; and

"Whereas these potential and formidable weapons could be in the possession of inmates in this maximum security institution: and

"Whereas the administration failed to inform staff of these missing items, failed to conduct proper searches and failed to ensure the safety and dignity of the staff,

"We, the undersigned, petition the Legislative Assembly of Ontario to instruct the Honourable Richard Patten, the Minister of Correctional Services, to conduct and record, with copy available to all petitioners, an investigation as to the lack of action taken by the administration of the Sault Ste Marie jail, in order that staff may work in a safe workplace and be treated with dignity."

This petition has been signed by 51 residents of Sault Ste Marie and I would ask that the government consider it very seriously.

## **CLOSING OF CAMPGROUNDS**

Mr Villeneuve: I, too, have a petition that is not lengthy and is most important to the economy of eastern Ontario, if the Speaker would please allow me to read it. It is signed by 6,683 very concerned residents and business people, park employees and campers from Canada and the United States. It is oriented towards helping to save our parks. It reads as follows:

"To the Ontario Legislature:

"We petition the Parliament of Ontario as follows:

"We, the undersigned, strongly object to the closures of the following provincial parks in eastern Ontario, namely, Charlottenburgh, Farran, Morrison and Nairne, Grenville and Brown's Bay.

"Furthermore, we, the residents of Ontario, demand an immediate public provincial inquiry into the overall operations of the St Lawrence Parks Commission."

I have signed this petition and I fully endorse it.

## TEMAGAMI DISTRICT RESOURCES

Mr Dietsch: I have a petition in support of the Temagami native land claim from several people from the St Catharines-Brock area. In substance it reads that they would like to demand the immediate withdrawal of logging permits and to halt the construction and exploration activities on crown lands in the 129 townships named in the caution filed by Chief Gary Potts in 1973. I submit it on their behalf and I have affixed my name thereto.

#### **AUTOMOBILE INSURANCE**

**Mr Pouliot:** I too have a petition signed by people from all across Ontario, and it concerns the outrage over the proposed provisions of the new Ontario motorist protection plan. People from Thunder Bay to Manitouwadge to Toronto are indeed concerned and deeply saddened.

## CHOICE OF HEALTH CARE

**Mr Cousens:** "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"Whereas there is a widespread anxiety among the public about the forthcoming legislation under the health care review act, in that the terms of the proposed legislation leave many traditional care givers, such as those offering pastoral counselling through religious institutions, school counsellors, social workers, many unregulated psychologists and holistic health workers, without protection under the act; and

"Whereas such care givers as those named above provide great service to countless communities in Ontario whose residents would be effectively cut off from such help if only medical doctors and registered psychiatrists are allowed to provide mental health counselling, in addition to which these traditional care givers provide their services without costs falling upon the OHIP program, which means that OHIP costs would rise drastically if all these groups were prohibited from practising their healing skills without vulnerability under the act; and

"Whereas there is an issue of civil liberties involved, in that citizens should be free to have access to the kinds of health care they choose, in accordance with their own religious or secular philosophy of healing, and the monopoly on health care services by a narrow group of practitioners is a disturbing trend;

"Therefore, we urge (1) that the proposed legislation be changed to allow unregulated care givers to continue to offer their services without fear of arbitrary legal action on the part of the government and (2) that the references to "harm" in clause 27.04 be deleted, or at the very least be defined in such a way that counsellors are protected where no negligence, fraud or misconduct can be shown to have been involved."

It is so signed by me.

# **AUTOMOBILE INSURANCE**

Mr Philip: Not to be outdone by my colleague the member for Lake Nipigon, I have a petition that is signed by people all across Rexdale, from Steeles Avenue on the North to Highway 401 on the south, and from the Humber River on the east to Indian Line on the west. This petition is signed mainly by

people who deal with Frank Bauco's auto service station on Albion Road.

"Whereas the Peterson Liberal government has introduced auto insurance legislation, Bill 68, which is directly contrary to its own studies; and

"Whereas the legislation will result in higher taxes to cover the \$141 million handed back to the insurance companies by the Liberal government; and

"Whereas the legislation will result in most accident victims being unable to be compensated for pain, suffering and other losses; and

"Whereas the legislation will result in an innocent victim being treated no better than the negligent driver;

"We, the undersigned, petition the Legislature of Ontario to express to the Liberal government our great disapproval of its policies concerning automobile insurance and request that Bill 68 be withdrawn."

I agree with that petition and I have signed it.

Mr Mackenzie: I also have a petition signed by residents of the city of Toronto concerning Bill 68, and in summary they are not happy with the speed of the legislation, the specific changes to the plan, the windfall to the insurance industry and specifically wanted the last whereas read.

"Whereas Peterson and the Liberals have refused to listen to the hundreds of submissions made to them calling upon them to abandon this bad legislation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Peterson and his Liberal government end this sellout of taxpayers, drivers and victims, and that they immediately withdraw Bill 68."

I have affixed my name to it and agree with the petition.

Mr Laughren: I too have a petition. I will not read the entire petition because that really is too time-consuming and I know that there is a restricted length of time for petitions in the Legislature now according to the new standing orders. Basically, this petition does not use these words but really calls the government's legislation a piece of junk.

Ms Bryden: I too have a petition to the Legislative Assembly of the province of Ontario but, because it is so short—only six lines—I will read the whole petition.

"We, the undersigned, hereby register our deep concern and outrage over the provisions of the new Ontario motorist protection plan. We respectfully request that the Legislature consider substantial amendment of, or complete rejection of, the Ontario motorist protection plan as presently proposed. We further respectfully request that a plan be devised more nearly in accordance with the results of the independent studies undertaken at the request of the government."

I support this petition and have signed it. There are 10 persons from the Hamilton area who have signed it also, and I respectfully submit it to the Legislative Assembly.

**Mr Charlton:** I have a petition from 13 residents of the Hamilton Mountain riding in the city of Hamilton.

"To the Legislative Assembly of the province of Ontario:

"We, the undersigned, hereby register our deep concern and outrage over the provisions of the new Ontario motorist protection plan.

"We respectfully request that the Legislature consider substantial amendment of, or complete rejection of, the Ontario motorist protection plan as presently proposed. We further respectfully request that a plan be devised more nearly in ac-

cordance with the results of the independent studies undertaken at the request of the government."

I have added my signature to the petition.

Mr Philip: I have another petition signed by constituents of mine. In summary this petition, which is addressed to the Legislative Assembly of Ontario, takes strong exception with Bill 68. The petitioners ask for the withdrawal of this bill. The petitioners object to their tax money being transferred to the large insurance companies which have been showing very large profits, the largest ever in the last quarter, and they object to the fact that they are going to get less coverage and pay more money for their insurance under this bill. They, therefore, ask that the Legislature try to impress on this Minister of Financial Institutions that the people of Ontario want this bill withdrawn.

## 1540

## INTRODUCTION OF BILLS

## LABOUR RELATIONS AMENDMENT ACT, 1990

Mr Mackenzie moved first reading of Bill 133, An Act to amend the Labour Relations Act.1547

The House divided on Mr Mackenzie's motion, which was agreed to on the following vote:

## Ayes-59

Adams, Allen, Beer, Black, Brown, Bryden, Carrothers, Charlton, Collins, Conway, Cordiano, Cousens, Curling, Daigeler, Dietsch, Elston, Eves, Faubert, Ferraro, Fleet, Fulton, Furlong, Grier, Haggerty, Hart, Jackson, Kanter, Keyes, Kormos, Laughren, LeBourdais, Leone, Lipsett, Lupusella;

Mackenzie, Mahoney, Matrundola, McClelland, McGuigan, Oddie Munro, Offer, Pelissero, Philip, E., Phillips, G., Polsinelli, Poole, Pouliot, Rae, B., Reycraft, Roberts, Runciman, Smith, E. J., Sola, Sterling, Stoner, Sullivan, Tatham, Ward, Wong.

#### Navs-0

Mr Mackenzie: The purpose of this bill is to prevent the hiring of strikebreakers and to control access to a work premise that is affected by a strike or lockout. The bill prohibits an employer from hiring or using the services of a person to do the work of an employee who is on strike or locked out unless that person is specifically authorized to do so.

Similarly, when a picket line is established to the place of access to a work premise, access is limited to persons specifically authorized by the bill. The bill repeals a provision of the act dealing with professional strikebreakers and strike-related misconduct.

## TOBACCO SALE REGULATION ACT, 1990

Mr Allen moved first reading of Bill 134, An Act to regulate the Sale of Tobacco.

# 1553

The House divided on Mr Allen's motion, which was agreed to on the following vote:

## Aves-40

Allen, Beer, Bryden, Carrothers, Charlton, Collins, Cordiano, Curling, Daigeler, Dietsch, Elston, Faubert, Fulton, Furlong, Grier, Hošek, Keyes, Kormos, Laughren, LeBourdais, Leone, Lipsett, Lupusella;

Mackenzie, Mahoney, Matrundola, McClelland, Morin-Strom, Oddie Munro, Pelissero, Philip, E., Phillips, G., Pouliot, Roberts, Smith, E. J., Sola, Stoner, Sullivan, Tatham, Wong

## Nays-0

Mr Allen: This bill proposes to prohibit the sale of tobacco directly or indirectly unless the vendor is licensed either in sales across the counter or through a vending machine. It also requires that the preceding act, namely the Minors' Protection Act, be repealed and it significantly increase these fines pertaining to the offence described in the act.

# HEALTH PROTECTION AND PROMOTION AMENDMENT ACT, 1990

Mrs Grier moved first reading of Bill 135, An Act to amend the Health Protection and Promotion Amendment Act, 1983.

#### 1603

The House divided on Mrs Grier's motion, which was agreed to on the following vote:

## Ayes-41

Beer, Brown, Bryden, Carrothers, Charlton, Collins, Cordiano, Curling, Daigeler, Dietsch, Elston, Faubert, Fleet, Fulton, Furlong, Grier, Hošek, Kormos, Laughren, LeBourdais, Lipsett, Lupusella, Mackenzie, Mahoney, Matrundola, McClelland, McGuigan, Oddie Munro, Pelissero, Philips, G., Poole, Pouliot, Roberts, Smith, E. J., Stoner, Sullivan, Tatham, Villeneuve, Ward, Wong.

#### Nays-0

Mrs Grier: I appreciate the strong support from government members for the introduction of this bill. It is a bill that would prohibit the sale of irradiated food and food that contains ingredients that have been irradiated, and I look forward to second and third reading.

## ONTARIO ENERGY BOARD AMENDMENT ACT, 1990

Mr Charlton moved first reading of Bill 136, An Act to amend the Ontario Energy Board Act.

#### 1611

The House divided on Mr Charlton's motion, which was agreed to on the following vote:

## Aves-36

Brown, Carrothers, Charlton, Collins, Cordiano, Daigeler, Elston, Ferraro, Fleet, Fulton, Furlong, Grier, Hošek, Kormos, Laughren, LeBourdais, Lipsett, Lupusella, Mackenzie, Mahoney, Martel, McClelland, McGuigan, Oddie Munro, Pelissero, Philip, E., Phillips, G., Poole, Smith, E. J., Sorbara, Stoner, Sullivan, Tatham, Villeneuve, Ward, Wong.

## Nays-0

Mr Charlton: I thank the members of the third party and of the government party for support on this bill. This amendment to the Ontario Energy Board Act is for the purpose of giving the Ontario Energy Board additional powers to regulate Hydro rates and to investigate matters such as capacity price

and source of supply, and I look forward to the second reading debate.

## ORDERS OF THE DAY

# TIME ALLOCATION (continued)

Resuming the adjourned debate on government notice of motion 30 on time allocation in relation to Bill 68, An Act to amend certain Acts respecting Insurance.

Mr Kormos: Mr Speaker, you are going to recall that I made some brief reference to Beauchesne yesterday, and I know that you are very familiar with Beauchesne. I made some brief reference to Erskine May, and once again I know you are extremely literate with respect to Erskine May. I made reference to those two treatises because I understood it to be valuable for members of this Legislature to understand them, not as well as the Speaker would but certainly at least in a modest way, so that they could apply those same principles when they are, at some point in the future, eventually voting on the motion before the Legislature now.

It is indeed a time allocation motion. I have had to explain to people down in Welland-Thorold and here at Queen's Park that in this House filibusters are not permitted. There simply cannot be, according to parliamentary rules, a filibuster. As a matter of fact, if members look in their Oxford English Dictionary, they will find that the word "filibuster" is a uniquely American word and that it does not have as part of its origin a British tradition.

What it is is an American phenomenon, because what happens in American jurisdictions is that once a member has the floor, that member could basically do anything he or she wants, read Huckleberry Finn if he or she wishes; that in itself is not a bad thing; more people should read Huckleberry Finn. Again, the anecdotes are legion about the ability of American representatives to filibuster. But we cannot filibuster here at Queen's Park, nor as I understand it, on Parliament Hill. It is not part of the British tradition.

What is required of anybody who has the floor is that he speak to the motion and that is exactly what I am going to do this afternoon, as I did on Monday afternoon, Tuesday afternoon, and Wednesday afternoon. At that point, if we have been able—

Miss Martel: Shouldn't tell the government, though.

Mr Kormos: It is a simple matter of dealing here with a weighty subject that requires thorough analysis. I am sorry if this appears to be a lengthy commentary on my part, but all that does is illustrate how horribly serious this legislation is and makes it all the more reasonable that time allocation not be imposed, that there not be a guillotine on the opposition.

I have sat at the feet of the Speaker listening to the learned judgements on parliamentary procedure, and I have looked to the Speaker for its wisdom—

Miss Martel: It's not an it; it's a he.

Mr Kormos: —for its understanding of the rules, for its understanding of tradition, and not just a comprehension of tradition, but an internalization of tradition. That is really what the Speaker, and the skilful Speaker that we have here at Queen's Park, is all about. I say that about the Speaker regardless of the persona. The Speaker has no persona; there is continuity in that regard. One does not welcome the new persona

when it exchanges the chair with the Speaker, does one? One simply carries on.

#### 1620

What I am getting to is that the test is that matters be relevant, that matters be germane to the motion before the House currently. That is the motion by the Liberals of Ontario to kill the opposition, to muzzle, stifle, snuff out; this is a snuff bill. This motion before the House is a snuff motion. It is designed to snuff out, to hammer out, if need be, opposition.

I was listening late last night to the events on Parliament Hill. I was pleased to hear some of our colleagues in the federal House protesting closure as vigorously as we are protesting it now. I noted that our New Democratic brothers and sisters in the federal House on Parliament Hill are prepared to fight as vigorously for a defence of democracy and democratic traditions as we are right here at Queen's Park. Indeed they called what is happening on Parliament Hill jackboot tactics just as we called these jackboot tactics yesterday and the day before, and we continue to call them that now because that is what they are, short, simple and sweet. Jackbootism rears its ugly head once again at Queen's Park.

It is not a matter of—again my apologies. It would be so nice for all of us to leave early, to go home. It is just starting to appear spring-like out there, but the fact is that democratic principles are too important. They are too important to me, they are too important to you, Mr Speaker, and they are too important to the members of this House to dismiss this with only brief consideration. That is why I am going to tell members something. I am going to tell them that this is not the first speech or the first commentary that has ever been made on jackbootism here at Oueen's Park.

Miss Martel: Is that in the dictionary?

Mr Kormos: It is called a neologism and if it is not in the dictionary this year, it may well be in the dictionary next year. That is how in the English language—the English language is an interesting thing in itself, because really what is current—if you read Fowler's Modern English Usage you will understand that the English language is fluid; it grows, it matures, it evolves. It is such a wonderfully hybrid language and it is something that grows.

As I say, yes, I am confident "jackbootism" is not in the dictionary this year, but as a neologism and considering its currency of use, considering that its usage has not only been frequent, necessarily so, because of the tactics of the Liberals here at Queen's Park, but its usage on Parliament Hill is becoming more and more frequent, and necessarily so because what else can you call it? You call a shovel a shovel where I come from. You name it the way it is; you call it the way you see it.

We are getting to a consideration of the fact that this has been talked about before. Precedent does not just come in Speaker's rulings, does it?

Precedent comes in arguments that have been made previously. Precedent too is something that—an argument is given life once it is enunciated, especially a good argument. That is why I am going to spend a little bit of time, and I appreciate that this is more than a few seconds—the fact is, can I help it that the argument that was made back in 1982 against closure—

The Acting Speaker (Mr Cureatz): The honourable House leader for the government?

**Hon Mr Ward:** I would explain to the member that if he wants additional time we would be happy to consent to that.

Mr Kormos: Need I tell members that back in 1982 closure was effected right here at Queen's Park? What I am going to tell members about now is the argument made by the then member, Mr Renwick. This was in response to a motion for closure by the government of the day.

Mr Villeneuve: And good government it was.

**Mr Kormos:** Before my time, Mr Speaker, and I know you were not gung-ho about that motion for closure. I know you had some grave misgivings about it.

Interjection.

Mr Kormos: Yes, there was a then member, a Mr Martel, who said something to the effect that Sam—

**Mr Villeneuve:** Where are they now?

Hon Mr Ward: That name lives on in infamy.

Mr Kormos: I am going to get to what the then member, Mr Martel, had to say. Let's talk a little bit about what Mr Renwick had to say, because that is what is relevant to this discussion. It is worth while reconsidering what Mr Renwick had to say back on Thursday 9 December 1982. Now Mr Renwick said—

Mr McGuigan: He said it with a lot of class.

**Mr Kormos:** He said it at eight o'clock at night. Mr Renwick said, "I intend to dwell at some length on the question of why I am in opposition to the government motion for a number of very good reasons which are of immense concern to me."

Even though I was not here in 1982—I was far too young to be a member of the Legislature back in 1982—even though I was not here, I have read this carefully, and those arguments made by Mr Renwick then are equally valid, perhaps even more valid, in view of what has happened to this government, to the Liberals, and the speed with which they will invoke closure, and especially in view of the contrast of the fact situation in 1982 to what we have now.

Catch this, Mr Speaker. Mr Renwick says, "I suppose my starting point is the easy and simple statement that the parliamentary process makes people uneasy because it is people in confrontation over basic, fundamental principles about the system they are involved in because of basic differences on the issues before us."

It remains true today, does it not? That is part of what we were talking about yesterday when we made references to Beauchesne and Erskine May, is it not, Mr Speaker? You know that; you know it better than any of us do because of your familiarity, your intimacy with Beauchesne and Erskine May.

"There is always a tremendous pressure around to say that it should be much more polite, that it should be a sort of Oxford Debating Society or some kind of organization where everybody has his say, there is some kind of consensus and everybody goes home quite happy about it."

I bet there are Liberal members who when they participate in this debate, I bet there are Liberal members sitting right here now who when they stand up and participate in this debate are going to say, "This nastiness has to be avoided." They are going to say: "What's going on here? Why can't we be more friendly about this? Why could the opposition not say, 'Okay, fellows and gals, two days is a little bit heavy, but let's settle for closure after three days of committee of the whole."

We are going to have Liberals stand up here and say, "You guys are not compromising." Of course we are not compromising because you cannot compromise democratic principles, can

you? You cannot compromise with jackboot weaponeers. There are going to be people from the Liberal ranks stand up and say, "Why could this not have been done a little bit milder, with less energy, with less anathema for each other?"

How can you not help feel antipathy for people who wear the jackboots and are prepared to trot all over the principles of this Legislature? How can you not feel antipathy for those types. In some places they are called small-f fascist. How can you not feel antipathy for those sorts of people with those sorts of tactics? How can you not?

Mr Renwick goes on. He talked about the Brothers Grimm, the House leader of the government party and the government whip, the Brothers Grimm. Interesting. He said, "I did not understand it for a long time because, in my practice of law, for a long time I was engaged in the corporate world of law, the commercial world of law and only latterly was I engaged in the world of criminal law."

I am probably far more familiar with members of the provincial Parliament than Mr Renwick was when he started because I practised only criminal law for the last decade. So when it comes to understanding motive and the need for motive, when it comes to understanding—

Miss Martel: Grease, payola.

Mr Kormos: Grease and payola. Was that not a horrible scenario this afternoon when the Attorney General declined to amend the terms of reference to the Patti Starr scenario? Was that not an incredible abuse of power when the Attorney General refused to rewrite the terms of reference for the Patti Starr investigation so that indeed the truth could be uncovered? Was that not a sad state of affairs when the Attorney General this afternoon dismissed any prospect of the people of Ontario ever finding out how deep Patti Starr was into the government and the cabinet?

Is that not remarkable? Is that not illustrative of the arrogance of this government and, really, is that not illustrative of the same arrogance that motivates this government to move the motion that is before us today, a motion for closure, a motion designed to stifle debate, a motion designed to silence the opposition? That is what we are talking about here and now, are we not? We are talking about a majority government with its arrogance, with its supercilious attitude, with its jackboots stomping all over the fundamental principles of democracy, the fundamental principles that I talked about yesterday as being annotated, as being enunciated, in Beauchesne. Should I read them again, Mr Speaker?

Mr Laughren: Point of order.

The Acting Speaker (Mr Cureatz): The honourable member for Nickel Belt, whom I have nothing but the greatest esteem for, has a point of order.

**Mr Laughren:** Mr Speaker, I hope you will recognize it as being a legitimate point of order. I think in a debate this important we really should have a quorum.

The Acting Speaker ordered the bells rung.

1633

Mr Kormos: Really, what we are getting down to ultimately—and I should warn the Liberal House leader now, because the whole argument of Mr Renwick and the reason why I state his argument and adopt it is that the ultimate plea is that once the House leader hears this argument, he will feel compelled to withdraw the motion. Once that motion is withdrawn, we can carry on with the real business, and that is considering

Bill 68 in committee of the whole House, considering the 30-plus amendments that the government proposes to present and the 20- or 25-plus amendments that the Conservative Party proposes to present.

Why does the House leader for the Liberal Party persist in moving attention away from Bill 68? The House leader, quite frankly, would prefer that I did not mention Bill 68 at all during the course of discussions about this closure motion. Sadly, in view of the fact that so few Liberal members are here to hear the arguments that I am to make against closure, I am fearful that they might come in when the bells ring for the vote on this closure motion and, like the trained seals that they have revealed themselves to be so often, simply vote in favour of it because their House leader said so, instead of because in their hearts they think it is the right thing to do.

We know that we have a responsibility to conduct ourselves according to those long-held democratic principles that were talked about in Beauchesne and that you, as the Speaker, understand so well, those principles that were talked about in Erskine May and that you, as the Speaker, understand so well.

Again, I am being quite candid about the fact that I am making reference to a speech given by Mr Renwick back in 1982. At that time the House leader and the government whip were referred to by him as the Brothers Grimm. Perhaps to be fair it should be the Siblings Grimm. So here we have the Siblings Grimm sitting in front of us. Mr Renwick went on to explain how in the practice of corporate law he was somewhat, in some ways, ill-prepared for the realities of the Legislature. It was only as a result of his latter years' practice of criminal law that he became sort of tuned in. That I can understand so well.

Now, "It is quite common," he says, "that they always team up the detectives. There is one tough guy and one nice guy," the old Mutt and Jeff routine. The minister knows that from his days of practice in law, his visits to the police station late at night to try to ensure that an accused person is not denied any of his or her rights. He is familiar with the Mutt and Jeff routine, the tough guy and the nice guy.

Back in 1982, the government House leader was the nice guy, the government whip was the tough guy. I would not put it that way now. As a matter of fact, I think roles would be reversed. The Brothers Grimm, the Siblings Grimm, as they are today, are the movers of the motion.

And whom did the government House leader call on to second the motion yesterday? "Why the government whip? Will the government whip participate in the debate?" Jim Renwick asks back on Thursday, 9 December 1982, and it is a rhetorical question. He answers it, "Not likely." That is what he said. But do we know what he was really thinking? Mr Renwick, God bless him—I had the opportunity to meet him and spend time with him—said, "Not likely," but that is not what he really wanted to say at that point in time at 8 o'clock on Thursday, 9 December 1982. He said, "Do they want to participate?" He said, "Not likely."

I would be quite surprised if he were to stand up and deal with the substance of the issue. My, things have not changed in eight years, have they? Things have not changed very much. Jim Renwick was surprised. If these clowns would even stand up—

**Mr Villeneuve:** Wait until he gets into what the Liberals had to say about him.

Mr Kormos: No, but the Deputy Speaker at the time was a very good friend of yours, Mr Speaker. Perhaps he will be here

later this afternoon. Perhaps he will make his own unique contributions to the discussion.

Mr Ferraro: A point of order, Mr Speaker: I am just curious as to whether or not the word "clowns" is parliamentary and acceptable to this chamber, especially when the grim member for Welland-Thorold is not giving the Liberal members an opportunity to speak.

The Acting Speaker: It grieves me to advise the honourable member that it probably was not a point of order. The government House leader.

**Hon Mr Ward:** I wonder if I can put forward a motion pursuant to standing order 53. The business for the week of 8 April is as follows—

Mr Laughren: Out of order. You don't have the floor.

Hon Mr Ward: This is pursuant to standing order 53. It is the business of the House for next week. It has to be placed on Thursday.

Mr Laughren: No, he doesn't have the floor.

The Acting Speaker: I unfortunately agree with my learned colleague, who does not have the floor, that I do not think that it is necessary at this point in time for the honourable government House leader to put that. I think we had better do that later. No further points of order? Then, the honourable member for Welland-Thorold.

Mr Kormos: Things have not changed a whole lot in eight years. Things have not changed, because Mr Renwick very properly said, "Let me again refer to what I referred to when the government moved the first closure motion in the standing committee on administration of justice, when it"—the government—"reached back into the Dark Ages of the 19th century to find a disembodied principle." Indeed, it was found "in Erskine May's Parliamentary Practice to say that what they were doing in the standing committee on administration of justice was within the framework of parliamentary practice."

Mr Renwick says: "We objected at that time. We challenged that matter when it came before the assembly at some length, and I never repeat an argument a second time. All I want to say about it is that the government does not understand some very simple matters related to the practice of the assembly." Just as in 1982 the government of the day did not understand some very simple matters related to the practice of the assembly, nor do these guys, the Petersonian Liberals. They are trying to ram Bill 68 through without a full hearing. They are trying to muzzle the opposition; they are trying to muzzle criticism of the bill.

## 1640

We heard about how a staff person of the minister's office went so far as to phone up an American shareholder trying to lean on him a little to silence one Star, president of Kingsway here in Canada, who broke ranks.

Interjections.

Mr Kormos: Remarkable. Look at what Jim Renwick had to say back in 1982: "The government believes that because it has a majority of members that is the end of the matter." Lister to what Mr Renwick was able to say about the government back in 1982 and tell me if it is not applicable in 1990.

"The government believes that because it has a majority o members that is the end of the matter." Nothing has changed has it? Nothing has changed. It does not happen to be the end o

the matter. Again, things have not changed in the last eight years, because the parliamentary process is superior to whichever party in the assembly either has the majority or is in the minority now. That is true and that is a truism only so long as legislators are prepared to still give effect to parliamentary procedure and parliamentary practice, because once legislators abandon parliamentary procedure, once legislators embrace an antiparliamentary, antidemocratic approach to things, why, then we have chucked it all out, have we not, Mr Speaker?

"Impugning motive" does not mean what so many Liberals wish it meant. It does not mean you cannot question motive. Once again, you, Mr Speaker, as an experienced trial lawyer, a person who is intimately familiar not only with Erskine May and Beauchesne but with the standards for a conviction and what is available to persons as a defence know full well that examining motive is crucial, is it not? I mean, motive can add to circumstantial evidence in a way that nothing else can. Motive can move circumstantial evidence from the vague to the very certain.

So let's look at the motive for presenting a motion like is before us now. Come on, Mr Speaker. Does this time allocation motion provide a considerable or reasonable period of time within which to discuss Bill 68? Come on, Mr Speaker, of course not. I know you know that, and I know you feel this way about it, but like other times that you have been in the chair, you cannot express that opinion. You have to take a neutral role. I know you feel very strongly about this, as a person who is fairminded and for whom justice is a considerable virtue.

Mr Renwick goes on, and were I able to craft these words in this way, I would have done it myself: "I want to try to illustrate what that means in the context of the motion that is before us this evening. The government House leader"—of the day—"participated for a long time in the debates with respect to the new Constitution of the country. Unfortunately"—he is being modestly sarcastic here—"a little knowledge is a very dangerous thing, and he learned what was dangerous. He learned that strange Latin phrase 'non obstante' meaning"—of course, as you know, Mr Speaker—"notwithstanding,' and he grasped on to it because he knew he would some day be able to stand up in this assembly and move a motion that said, 'Notwithstanding the standing orders of the assembly,' this was the way it was going to be." Remarkable, is it not? History repeats itself, does it not, Mr Speaker?

The rules of this House provide for reasonable amounts of debate, discussion, criticism by the opposition, and the motion presented to us is one that basically says: "Nothwithstanding the rules of the House, we want to crush the life out of the opposition. We want to prevent the opposition from discussing a very important piece of legislation."

Mr Renwick goes on to say: "He justified it on the basis that this was a single instance in which he knew he was going to use it, and in Latin that is known as 'ad hoc.' Just on this one occasion it is going to be done this way. Just on one occasion he is going to move a motion on behalf of the government that begins, 'Notwithstanding the standing orders of the House,' which have evolved over a period of time to govern the relationships of difficulty in confrontation between different parties with different political principles and views. He was going to do it only once."

But that was back in 1982 he was going to do it only once. These guys, the Liberals in Ontario, want to do it time and time again. They have not got the fortitude to simply spit it out and say: "We don't like the standing orders the way they are. We want to impose our majority rule on every facet of the operation

of this House," so they keep playing the game of bringing these closure motions, time allocation motions. They do them ad hoc.

At some point in my reference to this transcript, to this Hansard, I have some comments from some additional talented and skilful arguments that supported Mr Renwick's opposition to time allocation.

The member for Brant-Haldimand is still with the Legislature. The member for St Catharines is still with the Legislature. The member for Renfrew North is, and the member for London Centre, who is cited in the transcript. I have checked; the names are the same and the Hansard, I am sure, is accurate. These people called closure motion, and Mr Renwick was talking about it. They called it everything but democratic. They called it everything but fair. They called it everything but parliamentary. Do you want to know something, Mr Speaker? They called it that after there were 47 hours of second reading on the bill, 35 hours in public hearings and 34 hours in committee. As he is referred to in the transcript "Mr Nixon," now the Treasurer; "Mr Bradley," now the Minister of the Environment; "Mr Conway," ex-House leader, now Minister of Colleges and Universities, etc, and the Premier of Ontario—

Mr Villeneuve: Not the Premier. The Premier?

Mr Kormos: The now Premier, referred to as "David Peterson" in the Hansard transcript. They condemned a closure motion on a bill for which there had been 47 hours in second reading, 35 hours in public hearings and approximately 34 hours in committee—

Mr Mackenzie: How times have changed.

**Mr Kormos:** Wait a minute—followed by 12 hours in the House after committee before the motion was brought.

**Hon Mr Elston:** Theatrics. With a flair for the theatrical.

Mr Kormos: Darn it, darn it, darn it. We are talking about a bill right here that has had perhaps, at the very best, maybe 12, 13 hours in second reading, less than one whole week in consideration of clause-by-clause in committee, and we did not even get beyond the introductory remarks that the Speaker, sitting as Chairman of the committee of the whole House, permitted in one and a half afternoons.

I cannot understand how these people, "Bob Nixon," as he was then; "Jim Bradley," as he was then; "Sean Conway," as he was then—they were not ministers at that point. Members know that full well.

David Peterson, Bob Nixon, Jim Bradley, Sean Conway—I mean, they condemned this motion for closure. That is why it is so useful for me today to make reference, as I propose to do, to the Renwick argument, because that argument is one that was given light by virtue of having been articulated right here in this Legislature. As I say, it is going to take a little bit of time to go through that Renwick argument. I could try to articulate it myself, but it would take three times as long as it did Mr Renwick because of his unique talents and his unique command of the English Language.

Mr Renwick said: "If Sir Winston Churchill were alive today, I believe he would say in a way we would all understand that this kind of nonobstantive ad hockery is something "up with which I will not put."

1650

An hon member: Clever.

Mr Kormos: It is.

"I think that is what Winston Churchill would have said today. He would have said you cannot do two things. You cannot say, 'Nothwithstanding the standing orders of the House,' we are going to do something and then justify it on the basis that we are going to do it only at this particular time."

In that respect, these guys, the Liberals, have learned. They do not try to pretend that this is one shot only; they do it time and time again. What has happened is that, because they have gotten so used to doing it, it comes naturally to them now. They do not have to think about it.

Part of the reason, part of the motive, for a time allocation motion is because they are presenting legislation that is so thoroughly bad that it will not withstand debate, legislation that is so antipeople that it will not withstand debate. When we talk about motive for time closure, that is what we are talking about. We are talking about a government, and in particular a Premier and a Minister of Financial Institutions, that wants to avoid the political backlash, the political fallout, from legislation that is going to be and has been condemned by just literally hundreds and thousands and tens of thousands or more here in Ontario; that has been embraced by the private, very profitable, corporate automobile insurance industry but by virtually no others.

The real motive on the part of the government here is to avoid debate, to avoid criticism of the bill, to avoid being exposed as mere servants of the private, corporate auto insurance industry. Do members remember how much profit they made in the third quarter of 1989? I told this assembly yesterday how much profit the insurance industry in Canada made in the third quarter of 1989. That was yesterday. I knew it. I knew that if people were not taking notes, they would forget some of these figures, and some of these figures are so important.

The profit by the overall insurance industry in the third quarter of 1989, which includes the auto insurance industry in Canada, was a record profit for the last eight years, \$317 million in the third quarter alone. That is going to translate into profits of probably \$1 billion and change; not \$1 million, but \$1 billion and change. This government, so pathetically, so shamefully, so cowardly, afraid of criticism, afraid of debate and afraid to subject its legislation to analysis; is that not the most despicable form of cowardice, to be acting for the profits of a powerful and wealthy industry, the auto insurance industry, to condemn innocent injured victims to significantly less compensation than they deserve, to condemn 95 per cent of all innocent injured victims to receiving no compensation for their pain and suffering or their loss of enjoyment of life, to condemn taxpayers to a tab of around \$141 million to \$143-million subsidy? Taxpayers of Ontario are going to have to pay that to the auto insurance industry because this government is in the back pockets of the insurance industry and is prepared to forsake and betray-

Mr Faubert: On a point of order: Mr Speaker, under the rules of debate, the standing orders, under section 23(i), it clearly says that the speaker will be called to order "if he imputes false or unavowed motives to another member." We should rule on that.

Mr Kormos: What unhonourable motives?

Mr Faubert: Prove it.

Mr Kormos: My gosh, Mr Speaker, I challenge you.

The Acting Speaker: I would like to rule that it is not a point of order.

Mr Kormos: What we were talking about was cowardice, huh? Now we are talking about cowardly cowardice. These

guys and gals do not even want to debate the closure motion. They do not want to debate Bill 68. That is clear, that is accepted. They do not want to debate Bill 68. They cannot.

I did not want to miss the opportunity to commend an organization, and I tell members this is an organization that, in large part, consists of members of the bar in Ontario. They formed an organization called the Committee for Fair Action in Insurance Reform. They have acquired members and supporters, although initially a lawyers' organization that was formed many years ago—primarily lawyers, it should be said—to give expert advice to the Osborne inquiry, for instance. Remember that, the one that condemned threshold insurance, the one the government paid for with taxpayers' dollars?

Miss Martel: On a point of order, Mr Speaker: Before my colleague starts congratulating whoever it is he wants to congratulate, I do not believe we have a quorum in the House. We need one more member. There are 19.

**The Acting Speaker:** The member for Sudbury East has requested if there is a quorum.

Clerk Assistant and Clerk of Journals: A quorum is present, Mr Speaker.

The Acting Speaker: It has been brought to the attention of the Chair that a quorum is present.

Mr Kormos: They published a tabloid, and I have to tell members it was a short-run tabloid. The people who attended the Liberal convention at Windsor this past week, I am told, had it distributed among them. The Liberals should know all about polls and polling. It was an Environics poll, their very own pollster, which showed Liberal support down across the province, which, remarkably, showed Liberal support down by almost 10 points in the Golden Horseshoe, down through Hamilton-Wentworth, Niagara, over to Haldimand, a remarkable 10-point drop in support down through the Golden Horseshoe.

FAIR published this, and the poll was most important. The poll was conducted between 7 February and 15 February. That was back when the committee itself was just wrapping up. The survey sample was stratified by census division to accurately reflect the distribution of the Ontario population. The results, accurate to within plus or minus 4.5 per cent, reflect real and widespread disapproval of the government's no-fault insurance plan, no-fault opposed by over 60 per cent.

The first question asked was this, "Overall, based on what you have seen or heard about the Ontario government's proposed no-fault insurance program, are you in favour of or opposed to the proposed system?" Two thirds, or over 66 per cent, of the respondents are opposed to the government's plan.

## 1700

That is a substantial number of people. It is not that the government, the Liberals and their Premier, their leader David Peterson—I speak of him as the leader of the party, not as a member of the provincial Legislature—and the Minister of Financial Institutions have not been trying to sell it. Lord knows, they have been trying to sell it. My goodness, when you saw the packaging that went along with the Ontario motoris protection plan, you had to gasp about how much taxpayer's money was being squandered on that particular exercise.

I do not know what the ad firm was that the Liberals had on that, but it probably are not the ad firm any more, especially when the Liberals read these statistics and find out that 66 pe cent of people do not support the legislation any more. Interest

ing, is it not? Are members surprised? I am not, because that was back on 7 February. Do members remember 7 February? That was just when the committee hearings were starting to wrap up.

I will bet my boots right now that if that poll were taken a month later, 7 March to 15 March, you would see well in excess of 66 per cent opposed. Perhaps you would see as high as 75 per cent of people opposed to this shabby, crummy insurance scheme, the one that the Liberals do not want to see debated in the Legislature. They do not want to see it debated because they know that people out there are more than eager to hear—

# Mr Haggerty: Manitoba.

Mr Kormos: I hear somebody flapping his lips about Manitoba. I tell members this, that before I am finished we are going to talk a whole lot about western provinces and how they provide more affordable insurance, and always have, provide better and bigger benefits than this scheme ever will, retain the right to sue. Can members believe this? Retain the right to sue and, believe this as well, do not discriminate against young or old drivers. Indeed, drivers in Manitoba, British Columbia and Saskatchewan receive credit, receive deductions by virtue of being senior citizens. Is that not remarkable? Yes, we are talking about an insurance scheme here and now, which the Liberals want to oppose, that is going to put senior citizens into Facility Association where they are going to be paying thousands and thousands of dollars a year in auto insurance premiums. Is that fair? Does that reflect any commitment to seniors on the part of this government?

On the contrary, it shows that these Liberals are prepared to sell out senior citizens, and that is exactly what Bill 68 does. If senior citizens are scared, they are rightly scared. They are frightened, they are fearful of what is going to happen once this legislation is passed, because they know that they are going to be forced into Facility Association where the premiums are in the range of thousands and thousands of dollars.

Mr Speaker, I should tell you that this point in this discussion is all about why the Liberals want closure, why they do not want to see full debate, because they have had an opportunity to see the results of the poll performed by Angus Reid pollsters.

The second question asked by Angus Reid is this: "Under the proposed no-fault system, unless your injury is serious and permanent, you would not be able to sue for compensation regardless of how the accident occurred or who is to blame. Instead, you would receive a predetermined amount of money. Do you think this is fair or unfair?" Two thirds of the respondents with opinion said they thought it was unfair. That is why this government does not want to debate Bill 68. That is why this government wants to impose closure, time allocation.

The third question that was asked by Angus Reid in their poll was, "When no-fault insurance was first proposed, the government said insurance premiums would increase by no more than eight per cent." We all heard that. "The government has now stated that an unspecified number of Ontarians could pay up to 40 per cent to 50 per cent more in insurance premiums depending upon things like the type of car they drive, their income and their driving record." The question put by Angus Reid was: "Does this make you feel more positive about the no-fault insurance proposal, does it make you feel more negative or does it make no difference in how you feel about Bill 68?" Listen to this, because the Liberals sure did. That is why they are trying to impose closure on us. The Liberals heard the results, too. Fully 70 per cent of the respondents who had an

opinion feel more negative as a result of the government's own statements.

Those figures are from 7 February through 15 February. That is why the Liberals in Ontario, this Premier and this Minister of Financial Institutions do not want to debate their auto insurance bill here in this Legislature. That is why they want to impose time closure.

The remarkable thing about the briefest period of hearings—and again, we had to fight like mad to get those from the government because it would not have had hearings at all if it could have gotten away with it. The minister, before ever consulting through House leaders the opposition parties, told a public forum that the bill was going to be passed by 21 December, give or take a day—preferably 20 December, a day earlier.

What was remarkable is that the government fought public hearings and once they were wrested from the government the government fought to keep them as short as possible. Do you want to know something, Mr Speaker? That committee refused to sit Monday mornings. I said: "Committee, we have hundreds and hundreds of people who want to make submissions about this legislation. Surely we can accommodate them by sitting Monday mornings." No. The majority on the committee decided no, there would not be any Monday morning sittings. It is not as if the committee sat five days a week. The committee only sat four days a week.

I said: "Committee, you have hundreds and hundreds of people out there across Ontario who want to talk about this legislation. Please, sit evenings to accommodate them. Sit evenings. Surely we, as legislators, can take some of our evenings not only to accommodate the numbers but to accommodate those people who work for a living, to accommodate those people who would only be available in the evening hours." The Liberals on the committee said no, no way, would not do it.

Did the Liberals on the committee pay much heed to the requirements of people across Ontario in terms of them wanting to make submissions to that committee? No. Again, why not? Why did they try to restrict? Why did the Liberal majority on that committee itself try to restrict the number of people who came forward to discuss the legislation? The same reason why they are trying to impose closure on us now: because they knew that the vast majority of people appearing before that committee opposed this legislation.

Let me show you how serious that was, Mr Speaker. Against the legislation: the Advocacy Resource Centre for the Handicapped. They presented a brief called The Disability Giveaway: How the Ontario Government Subsidized the Insurance Industry by Cutting Compensation for Disabled People. They appeared in front of that committee on 10 January. The Ontario insurance industry was for the legislation.

Who was against? The Advocates' Society. They appeared on 10 January. They called Bill 68 an "ill-conceived and unsuccessful attempt to relieve premium stresses for Ontario drivers." They opposed the legislation, but who supports it? The Ontario automobile insurance industry.

Associative Rehabilitation appeared on 23 January. They had this to say about the legislation. I tell the members why this is significant: because we are looking at motive. We are looking to why this government would want to pass a closure motion. I am telling the members to illustrate that, to illustrate why, because it is my contention that it is not out of any concern for parliamentary practice; it is out of lack of concern for parliamentary practice. The reason they do not want full debate here in this Legislature is because not only is the legislation bad, but the vast majority of people in Ontario know that it is

bad and the vast majority of people in Ontario have said so. That is why it is important to take a look at who appeared in front of those brief committee hearings and spoke out against the legislation.

## 1710

Associative Rehabilitation said: "We believe the legislation as drafted represents one step forward"—they were talking about the modestly enhanced no-fault portion of it; we have had no-fault in this province for a long time—"and two steps back. The threshold must be changed to include psychological and mental injury." The government has refused to listen to those people, along with many others who have expressed the same concerns.

Steve Crouse from Kitchener, Better (Auto) Accident Treatment For Injured Victims in Ontario, appeared on behalf of his organization, BATFIV, on 9 January. He said this about Bill 68: "We do not wish to see Bill 68 passed because we feel it is a step backwards from the tort system we already have."

Mind you, who was for it? The Ontario automobile insurance industry.

Who else was against it? That is why this government does not want to have full debate, because it knows that the vast majority of people in Ontario are opposed to this bill.

C. R. Eddie Engineering appeared on 15 January. They said, "Absolving individuals from personal responsibility sends the message that traffic accidents are not preventable; they just happen."

Canadian Auto Workers, Local 222 in Oshawa, represents the interests of hardworking men and women.

Hon Mr Sorbara: Read the note.

Mr Kormos: It is another petition with 1,540 names against the legislation, which has been deposited with the Premier's office today.

I should read the note. I just got handed a note and the Minister of Consumer and Commercial Relations wanted me to read it. It is from a woman called Anita Ling. She wants me to know that she deposited a petition containing 1,540 names with the Premier's assistant about one hour ago, a petition condemning Bill 68 and this legislation as being bad, as being designed to create incredible profits for the insurance industry in Ontario and doing it at the expense of drivers, taxpayers and innocent injured victims. I appreciate the Minister of Consumer and Commercial Relations asking me to read the note and I am pleased to have been able to share that little bit of correspondence.

Again, it is not irrelevant. It goes to show one more time why these people, these Liberals, do not want to have a full debate here in the Legislature.

As I started to say, Canadian Auto Workers, Local 222 in Oshawa represents one of the largest locals of hardworking men and women here in Canada. Indeed, it is a local that does not make public statements lightly, that analyses issues well, that considers the pros and cons, that does not want to appear brash or ill-advised. Indeed, their contribution to their local political scene is one that in itself is worthy of commendation.

Canadian Auto Workers, Local 222 in Oshawa says this about Bill 68: "In short, Bill 68 will punish rather than protect the members of our union." They are talking about thousands of hardworking men and women—and members know this far better than I do—who have fought too hard for too long to earn the benefits they have. They see Bill 68, after thorough and careful analysis of the legislation, as being something that will strip

those rights from them. That is why this government does not want to have full debate.

The Canadian Mental Health Association on 9 January said this about Bill 68: "Instead of passing a discriminatory piece of legislation which will require costly legal challenges all the way to the Supreme Court of Canada, let's remove the discrimination through amendments before the bill becomes the law." They opposed Bill 68.

Who supports it? The Ontario automobile insurance industry. Of course the auto insurance industry supports this bill. It is a \$1-billion payday for them. Who else opposes Bill 68? So far we have the auto insurance industry in support of it and we have a whole whack of people, hardworking men and women, health care professionals among others, saying no to Bill 68.

The Canadian Paraplegic Association says this—let's reflect for a minute and think about who those people represent. It warrants pausing for the briefest of moments because we all make it in here in our ambulatory and healthy bodies. We are talking about an organization that speaks for those people, those victims, who tragically have had the life crushed out of their limbs, who have had their spines torn and twisted. They will never be able to enjoy the physical comforts that all of us here in the Legislature enjoy this very minute.

The Canadian Paraplegic Association said this: "This proposal is very unfair. The government is proposing to take away the rights of 95 per cent of the people in Ontario and they are not giving adequate benefits in place."

That is why this government and the Liberals sitting here in this Legislature do not want to have a full debate on Bill 68. That is why they want to impose closure. That is why they want to stifle the opposition. That is why they want to muzzle any criticism of Bill 68: because far too many people in Ontario know how bad this is going to be.

Who supports this bill? The Ontario automobile insurance industry.

Who else opposes it? The Chedoke-McMaster Hospitals, the spinal cord and acquired brain injury programs. Once again, these people know what they are talking about. These are the people who deal with victims whose bodies are tragically tom and mangled, and these are the people who work hard trying to make these bodies whole again from a medical point of view. What do they say about Bill 68? They say that the threshold is far too severe and restricted.

Who supports the legislation? The automobile insurance industry in Ontario supports the legislation. That is why this government does not want to see this legislation debated here in the Legislature.

Who else opposes the legislation? So far we have the Ontario automobile insurance industry supporting it, and once again I say that of course they support it because it is a \$1-billion payday for them, a billion bucks in the bank in the first year alone, a billion bucks that they do not have to earn but is taken from taxpayers, drivers and innocent injured victims.

The Cheshire Homes Foundation has this to say: "Clearly the proposed limits on long-term care are inadequate. They do not support community living for people who are physically disabled."

Now look at the little games, the cheap shots that the Minister of Financial Institutions engages in to try to rehabilitate this sick piece of legislation. Remember what the Minister of Financial Institutions did? Lo and behold his little Mike Wilsoning of the no-faults. We told him this from day 1: how dumb and how stupid the \$1,500-a-month cap on payout for long-term care was. We told him that \$1,500 a month does not even begin to

5 APRIL 1990

provide adequate care for people having long-term disabilities who require that care. So he doubled it to a \$3,000-a-month ceiling, maximum payout. That in itself is doubtful as to whether or not that is going to provide adequate care for a person requiring long-term care, but the ceiling is still the same. The fact is that a person could use up that in a period of some 10 years easily, 10 years and change. So a young person who is a victim who has to rely upon that, or even a not-so-young person, well within his lifetime would see himself thrown out into the streets and on to the welfare rolls. We knew that, we told the minister that, and Cheshire Homes Foundation knows it, which is why it does not support Bill 68.

But who supports Bill 68? Why, the Ontario automobile insurance industry does.

In the city of Cornwall a resolution was passed and published in the local newspaper on 9 January condemning the legislation. In the city of Orillia a resolution was passed on 8 January condemning the legislation. In the city of Sarnia a resolution was passed on 5 February condemning the legislation. In the city of Sault Ste Marie a resolution was passed on 20 November condemning the legislation. In the city of Welland a resolution was passed condemning the legislation. The city of Toronto: On 30 January city council resolved that city council would endorse the Canadian Bar Association—Ontario position regarding Bill 68. That was a condemnation of this thoroughly bad legislation.

## 1720

Cycle Watch said that Bill 68 would leave injured bicyclists with very limited rights to sue for personal injury damage. Cycle Watch exposed a thorough flaw in this legislation, one that the drafters had no intention of ever perceiving, one that they had no intention of ever correcting unless it was abruptly brought to their attention the way it was by Cycle Watch. That is why this government does not want to have thorough committee of the whole discussion about Bill 68. That is why they want to impose closure.

But who supports the legislation? Why, the Ontario automobile insurance industry supports it, the friend of Liberals far and wide and a friend who puts its money where its mouth is, because it sure does make its contributions at election time: over \$100,000 in the last provincial election in recorded donations to Liberal candidates from the Ontario automobile insurance industry. That is pretty pitiful when you are talking about an industry that says it was going broke, that it was losing money hand over fist. We know that just is not true. We know that when the insurance industry says it is losing money, what it means is that it is making profits.

Who else opposes the legislation? The Driving School Association of Ontario Inc. Among other things, they said this, "Unfortunately, self-employed persons will not be able to sue for disability, business losses, pain and suffering if they are an innocent party in an accident." That is right for 95 per cent of all innocent injured victims. They will not be able to have recourse to the courts to obtain compensation for pain and suffering; indeed, they will be denied any compensation for pain and suffering and loss of enjoyment of life. That is what Bill 68, this insurance scheme, does to innocent injured victims.

The sad thing is, the cowardly thing is, the pathetic, pitiful thing is that the Liberals are not prepared to discuss that during the course of committee of the whole hearings, nor are they prepared to debate that during third reading. They want to stifle debate, they want to muzzle the opposition, they want to avoid any criticism, they want to avoid any exposure of how shabby

this legislation really is. They are already facing 66 per cent of people in Ontario who have an opinion saying no to no-fault legislation. They know that and they know that even more people oppose the legislation now than did two months ago on 7 February through 15 February.

431

The other problem is that the Driving School Association of Ontario proposed some very constructive recommendations to the Liberals sitting on that committee. Mind you, they only had 15 minutes in which to do it. The Liberal majority on that committee decided, by virtue of its majority, that people making submissions would only have 15 minutes to make submissions. That meant that Ralph Nader was told: "Too bad, so sad. We know you came all the way from Washington, D.C. You have got 15 minutes to say what you have got to say, and then we are going to ask you questions for maybe 15."

That is why Mr Justice Barr, a retired judge of the Supreme Court of Ontario, who wrote a very careful and learned analysis of Bill 68 and how bad it is for drivers and victims and tax-payers in Ontario, acting on behalf of nobody but himself, a person with years of trial experience hearing cases involving innocent injured victims, was told: "You have 15 minutes to make your pitch. Make it. The clock starts now."

The Liberals are intent on stifling the opposition. They are intent on imposing closure on the opposition. We have an opportunity to debate that. Mr Justice Barr did not have an opportunity to negotiate the time allotted to him for a very learned, skilful analysis of Bill 68, one which the Liberals should have been thankful and pleased to have heard, one which they tried to curtail and shorten and abbreviate just as they are trying right now to shorten and abbreviate any real or meaningful discussion of this legislation.

Once again, the auto insurance industry was at the hearings saying, "We support the legislation." Who else was opposed to the legislation? The Electrical Workers Compensation Council of Ontario. They said this about Bill 68, "Bill 68 severely restricts the right of injured accident victims to be fully compensated for their loss of income"—we raised this as an opposition with the minister and he stood, jaw banging against the top of his desk, when he was confronted with it—"and most importantly, Bill 68 will increase the cost to employers and taxpayers of providing workers' compensation benefits." That is what was said by the Electrical Workers' Compensation Council of Ontario. That is why it opposed Bill 68 and that is why the Liberals do not want to have full discussion of this legislation either in committee of the whole or on third reading.

The Employers' Council on Workers' Compensation, appearing 17 January, said this: "In short, Bill 68 restricts legal suits by workers injured in motor vehicle accidents. We are distressed that the already precarious financial situation of the WCB is to be worsened by Bill 68."

What is the most pathetic thing about that? It is that estimates that we were able to obtain demonstrated that some extra cost annually, at least in the first year alone, of some \$50 million was going to be burdened on to the workers' compensation system. What that meant was that injured workers were going to pay the bulk of it. The government had no idea. The government had never costed the impact of this legislation on injured workers in Ontario. The government, quite frankly, did not give a tinker's damn. They were quite prepared to let injured workers carry the burden once again. That is what is really pitiful, really pathetic about their approach to Bill 68.

The Committee for Fair Action in Insurance Reform spoke of Bill 68 as generating more inefficiency rather than increasing

efficiency, as generating more unfairness rather than increasing fairness.

The Hamilton Automobile Club said this about the threshold: "The presently drafted wording of the threshold is unduly restrictive and does not allow all the most severely injured in automobile accidents to sue. We strongly urge reconsideration of the threshold language."

All these people I am talking about, all these organizations representing tens and hundreds of thousands of people are opposed to Bill 68. Who supported it? Who came to that committee? Who told the government, "We want Bill 68 passed"? The auto insurance industry did.

**Mr Ferraro:** On a point of order, Mr Speaker: The member, I am sure, would want to be accurate and correct the record. The Hamilton Automobile Club is not opposed to Bill 68.

The Acting Speaker (Mr Breaugh): I am sure the member is grateful for the brief respite that you gave him, but that is not a point of order.

Mr Kormos: The problem with the member for Guelph is that he speaks before he thinks and the problem with the member for Guelph is that he speaks too often. That is even in view of the fact that he speaks rarely. Let me tell members about the member for Guelph. I appreciate that this is an aside.

**The Acting Speaker:** Order, please. I would prefer you to tell me about this motion that we are debating.

Mr Kormos: Exactly. My concern is that one of the motives for this closure motion is that the member for Guelph may have insisted that the House leader prepare it because the member for Guelph is fearful that the Minister of Financial Institutions is going to hang him out to dry again. The Minister of Financial Institutions is not prepared to sit through the committee of the whole and he is going to force the member for Guelph to sit through committee of the whole.

The member for Guelph knows how uncomfortable he was in the short committee hearings that we had here at Queen's Park and in four communities in Ontario. He had to tell the press, "Last week we got hammered." The Liberals got hammered by the opponents of the legislation. It is in his interest to have abbreviated discussion in committee of the whole.

Maybe the whole thing could be resolved if the Minister of Financial Institutions would talk to the parliamentary assistant, the Liberal member for Guelph, and explain to him that the minister is prepared to sit through committee of the whole. Maybe then the member for Guelph, the parliamentary assistant to the Minister of Financial Institutions, will not be so fearful about committee of the whole and will ask the House leader to withdraw the motion.

We were talking about an argument earlier that we are going to follow through on on Monday, and the ultimate request subsequent to that argument, one which dates back to 1982, is to prevail upon the House leader to withdraw the motion. That would avoid all of the problems that would be inherent in a vote on the issue. It would make it unnecessary to further debate the issue if the closure motion were merely withdrawn. I think there is a strong argument to be made for that, and we are going to follow through on that argument come Monday afternoon or Tuesday afternoon.

## 1730

But for the moment, talking about why the Liberals do not want full and thorough debate during committee of the whole, for instance, the group called Heritage of Children of Canada oppose Bill 68. They said this, "We find the threshold draconian and against all principles of democratic and natural justice." That is why the Liberals do not want to see a thorough committee of the whole consideration. Draconian is right. This motion before the House should go hand in hand with Bill 68, because this motion is as draconian as Bill 68 is.

The International Brotherhood of Electrical Workers—once again, hardworking men and women who help build our communities, representing thousands and thousands of workers here in the province of Ontario and elsewhere—they too, before speaking out on things like legislation that is pending, would ensure that they have a thorough and careful analysis of what is contained in the legislation.

They have this to say about Bill 68, "The elimination of compensation for pain and suffering and loss of enjoyment of life for 90 to 95 per cent of innocent motor vehicle accident victims is totally unacceptable." The International Brotherhood of Electrical Workers opposes Bill 68 too.

Who supports it? The Ontario automobile insurance industry. They are the people who are going to enjoy the billion-dollar payday once this legislation is passed. The Ontario automobile insurance industry is going to have a billion-dollar payday, and every penny of that billion bucks is going to come from the pockets of taxpayers and drivers, from drivers as a result of premium increases that are going to be as high as 50 per cent. Most sadly, it is going to come from innocent injured accident victims, who are going to be denied compensation for their pain and suffering. That is why the Liberals do not want to see a thorough discussion, a complete discussion and an appropriate discussion of Bill 68 and its amendments in committee of the whole.

Let me tell members what the Labourers' Provincial Distric Council of Ontario had to say about this. They opposed Bill 68 and they see it as bad and dangerous for drivers, workers, taxpayers and victims in Ontario.

Let me tell members what Lakehead University Studen Union said about this legislation. They said, "It was a concern because of the unfair consequences this legislation will have or post-secondary students, particularly in northwestern Ontario." Those people and those organizations oppose Bill 68. Who sup ports it? The Ontario automobile insurance industry.

The Metropolitan Toronto Police Association, in a letter to the Premier dated 21 December 1989—the date of that letter is significant because that was the date by which the Minister of Financial Institutions—I almost called him Murray Elston inappropriately—was committed to ramming this insurance legislation through this House, and it was only because the opposition fought for committee hearings, brief as they were, that it was not.

That letter to the Premier, whose scheme this Bill 68 reall is—I mean it is his chain that the insurance industry yank when wanting to talk about how legislation ought to b drafted—a letter representing thousands and thousands of hardworking policewomen and policemen here in the city of Toronto and area, had this to say: "This piece of legislation if one of the most ill conceived in living memory. It will have horrendous effect upon the fabric of society and will severel compromise and curtail the rights of Ontario citizens."

The Metropolitan Toronto Police Association not only represents a large number of people—that is enough said; it is trit to say that—but it represents people who are confronted wit the sad realities of injuries on a day-by-day basis. They understand, virtually as well as anybody would, what it means to be victim of a motor vehicle accident. They understand far better

5 APRIL 1990

than most do what it means to be crippled, to lose the use of limbs, to be handicapped, to be disabled as a result of being an innocent injured victim.

The Metropolitan Toronto Police Association said this about Bill 68, about this insurance scheme being proposed by the Liberals: "This piece of legislation is one of the most ill-conceived in living memory. It will have a horrendous effect upon the fabric of society and will severely compromise and curtail the rights of Ontario's citizens." That is telling and it is obvious that factor helps motivate the Liberals to want to curtail meaningful debate and discussion about this bill right here in the Legislature.

Ralph Nader: We have talked more than a couple of times about his attendance before the committee. He appeared there on 15 January. He of course has familiarized himself with insurance schemes across North America. He said: "This plan, for at least 90 per cent of the accident injury cases in this province, would eliminate compensation for pain and suffering and even compensation for economic loss if an injury does not make the verbal threshold. In short, Premier Peterson is asking the people of Ontario to buy a pig in a poke."

All these people and organizations representing tens and hundreds of thousands of people, indeed millions of people here in the province of Ontario, are opposed to Bill 68. Who supports Bill 68? Who supports the Liberal government in its bid to ram Bill 68 through this Legislature? The Ontario automobile insurance industry, because they are the ones that stand to make the big bucks.

Ontario Association of Children's Mental Health Centres: This is what they have to say about Bill 68: "The overall scheme discriminates against persons with a mental disability. The scheme also discriminates specifically against children under 16."

The Liberals were confronted with this time and time and time again during the course of those brief committee hearings. Unfortunately, and this is where the minister misses the point, the minister was not at those committee hearings. He was not there to respond to questions about the impact of certain clauses in Bill 68, about the intent of the legislation in so far as it applied to, let's say, kids under 16, who suffer most as a result of this legislation, along with perhaps seniors.

The parliamentary assistant, the member for Guelph, did his very best to respond but his heart just was not in it. As often as not, with great candour the parliamentary assistant, the member for Guelph, acknowledged and conceded that he was ignorant of the purpose of a particular clause, that he was unaware why a particular clause or section in Bill 68 was worded the way it was worded.

He did his very best—he fell back on the civil servants who were there accompanying him—but at that his very best did not suffice. He was unable to answer so many of the questions that were put to him in the short committee process. It is mandatory, t is virtually compulsory now that there be complete committee of the whole hearings and that the minister be present so that he can be questioned and required to participate in a debate about he legislation and about the amendments contained in Bill 68, and the additional amendments being proposed by the government.

The Ontario Coalition of Senior Citizens' Organizations represents seniors, those good folks in our communities across Ontario who have worked hard all of their lives, who have raised their children, who have worked hard enough that they can begin to enjoy their retirement. In summation, after a horough consideration of the impact of Bill 68, they said, "In

our view the bill should be scrapped," not amended, not tinkered with, not jerked around with, but scrapped, dumped, dropped, abandoned.

433

They saw nothing about Bill 68 that is going to improve their lot. Indeed they were well aware, just as Don McKay, the general manager of Facility Association was aware back in the fall of 1989 and just like Mr Justice Osborne was aware in the fall-winter of 1989, that Bill 68 was going to force more and more seniors into Facility Association where their premium rates were going to be in the thousands and thousands of dollars.

The Ontario Federation of Labour, representing once again tens and hundreds of thousands of hardworking men and women here in the province of Ontario, said this: "Bill 68 is seriously flawed. In its current version the bill will have significant and detrimental implications for the average working men and women who are our members." Those hundreds and thousands of people who are members of workers' organizations, trade unions associated with the Ontario Federation of Labour, all know that this is bad legislation, all want the legislation scrapped, all want it dropped.

#### 1740

The Ontario Head Injury Association: It has been said so many times. Mr Rempel and his son Jeremy were among the most articulate and effective of spokespeople speaking out against Bill 68. Young Jeremy was the victim of an accident that leaves him now in a wheelchair at times and leaves him a head injury victim. Notwithstanding that, young Jeremy has displayed a strength and courage that permits him to come to this committee, expose the Liberal members of that committee to the realities of being a head injury victim and try to explain to them that this bill, Bill 68, ignores head injury victims, victimizes them a second time.

The Minister of Financial Institutions is not content with a person being crushed to the ground by a reckless driver or a negligent driver and being vicitimized in that way, but the Minister of Financial Institutions wants to victimize that same person a second time when the Minister of Financial Institutions would deny that same person compensation for pain and suffering, compensation for loss of enjoyment of life.

If the Minister of Financial Institutions had been at those committee hearings he would have heard those pleas. He would have heard the Jeremy Remples who came before that committee and said: "This is bad legislation. It is going to have an horrendous impact on the fabric of life in Ontario." But the minister was not there. He chose not to attend. Whether he was told not attend by the Ontario automobile insurance industry, who knows? Only he can tell us that. That is why it is important that we have committee of the whole discussions of the bill on a clause-by-clause basis and why the amendments to the bill be considered thoroughly.

**Mr Haggerty:** Move section 1 and we will get on to it. Come on. Move that section and we will get on with it. We will debate it.

Mr Kormos: Now the Liberals, people like the member for Niagara South, from down Port Colborne-Fort Erie way, do not want to have debate about this legislation. The Liberal member for Niagara South wants to see Bill 68 rammed through the Legislature without debate. The Liberal member for Niagara South has had the people come to his constituency office, saying, "Please, don't support this legislation." The Liberal member for Niagara South, like other Liberal members

here, cannot name a single individual who approached him endorsing this legislation, other than those individuals associated with the automobile insurance industry. The Liberal member for Niagara South did not spend one minute in discussion of this legislation during second reading.

The Liberal member for Niagara South—listen to this, Mr Speaker—has not even read Bill 68. The copy of Bill 68 that was given to the Liberal member for Niagara South is like the copies of so many family Bibles that sit on people's mantles with the pages unturned. The back is not even broken on the copy of Bill 68 that was given to the Liberal member for Niagara South some time ago. That is why he does not want to have full and thorough debate in committee of the whole, or to have full and thorough debate during third reading. It is pathetic and he—

**Mr Philip:** Do you think he could have had somebody read it to him?

The Deputy Speaker: Order, please.

Mr Kormos: Somebody suggested he could have had somebody read it to him if he has friends who could read. I suppose he could have prevailed upon them to read it to him.

Let us look at what the Ontario Provincial Council of Labour says about Bill 68. They say, "The proposed Ontario motorist protection plan is totally unfair to the workers of our province." What have we got now? We have the Ontario Provincial Council of Labour, the Ontario Federation of Labour, Canadian Auto Workers, Local 222, from Oshawa, the International Brotherhood of Electrical Workers, all condemning Bill 68.

Do you see what the most tragic thing about this is, Mr Speaker? The most tragic thing is that all these people vote. Insurance companies do not. All these people we are talking about who are opposed to Bill 68 vote and will vote in the next general election. The insurance companies will not. The insurance companies will throw their wealth around. But what I cannot understand is how pathetic it is to see Liberal members selling out drivers, selling out taxpayers, selling out victims for what is going to amount in the best of times to a \$500, \$600 or maybe \$750 donation from the auto insurance industry at election time.

Mind you, there have been a couple who have received more, and perhaps the favours exchanged were worth that more substantial remuneration. But it is incredible that Liberal members are prepared to sell out innocent injured victims for what, in the total scheme of things, amounts to a few hundred dollars worth of donations from automobile insurance industries at election time. That is sad.

The Ontario Psychological Association said this about Bill 68, "We view the current bill as fundamentally flawed."

This government, the Liberals in Ontario and the member for London Centre, as leader of the Liberal Party and as Premier of Ontario, have made a real big impression on teachers in Ontario. If he ever was on a Christmas card list, those days are long gone. The Ontario Secondary School Teachers' Federation says this, "The legislation should include the right to sue for psychological pain and suffering." They do not support Bill 68 either. They say that, along with a whole bunch of other people.

Catch this, Mr Speaker: The Ontario Teachers' Federation—again, you are talking about thousands and thousands of people, hardworking, skilled people, talented people who contribute a whole lot to their communities here in the province of Ontario—says that Bill 68 is regressive, lacking in fairness and that it is punitive. The Ontario Teachers' Federation requests

that the government of Ontario withdraw the proposed legislation and send it back for redrafting.

The Ontario Teachers Insurance Plan recommends the serious psychological injury or impairment be permitted to pierce the threshold, and that is exactly what the government has refused to do, exactly what it refuses to debate, exactly about which it has indicated, from very day one, there will be no changes. That is about the threshold, because that is the very heart of this whole legislation.

The Pain Management Clinic says this about the threshold "The threshold wording, as it stands, is unjustifiably discriminatory." People Against the Insurance Nightmare said the Ontario residents are being forced into a new insurance scheme that "summarily revokes fundamental justice and tramples based human rights." This organization of concerned community members and victims says that the people of Ontario are being forced into a new insurance scheme that summarily revoked fundamental justice and tramples basic human rights.

The Police Association of Ontario: We have already learner what the Metropolitan Toronto Police Association thinks of Bi 68. Let me run that one past members again. The Metropolita Toronto Police Association, those hardworking men and women who protect us on a daily basis and sadly have so much personal contact with the horrors of motor vehicle victims, say the about Bill 68, about the Liberals' scheme that they are trying ram through without full debate: The Liberals' Bill 68 is "one the most ill-conceived in living memory. It will have a horre dous effect upon the fabric of society and will severely compromise and curtail the rights of Ontario citizens."

Mr Philip: Did Ken Keyes tell them to say that, or d they say that on their own?

Mr Kormos: No, those are the-

Mr Pouliot: Who said that?

Mr Kormos: Well, the Metropolitan Toronto Police A sociation feels that way, and those are the police officers, te and tens of thousands of them here in the city of Toronto a Toronto area.

Let me tell you what police officers across Ontario say. T Police Association of Ontario says this, "As a result of t grossly unfair, even punitive loss of income provisions found the plan, members"—their members—"will be forced to p higher insurance premiums for income protection plans throu their employers."

The myth about even controlling auto insurance premium is thoroughly debunked. "There simply are not going to be controlled premiums. The insurance premiums for drivers acronomation, if this legislation passes, are going to go up by as mutas 50 per cent.

1750

Miss Martel: Who said that?

Mr Kormos: People to Reduce Impaired Drivi Everywhere. We talked a whole lot about We talked a whole about John Bates and PRIDE yesterday, members will rec. John Bates is the president of PRIDE, the organization cal People to Reduce Impaired Driving everywhere.

PRIDE says this about Bill 68, about the attempt of Liberals to generate incredible new profits for the auto surance industry at the expense of drivers, taxpayers and v tims. One wonders why the Liberals would propose such a st period of time in their closure motion, because it is really qu simple. This legislation, this insurance scheme that the Liberals

are proposing, is going to create, in the first year alone, \$1 billion of new profit for the insurance industry in Ontario by taking that money from taxpayers, by taking that money from drivers and, as I have said, most sadly, by taking it from innocent injured accident victims.

Each and every Liberal member who would dare support this time closure motion or dare support this bill is denying innocent injured accident victims compensation that is rightly heirs. That is the saddest thing of all.

PRIDE says this: "The threshold introduces an unacceptable air of uncertainty about who will and who will not be able to sue. The exclusion of pain and suffering as being legitimately compensationable is harsh and thoughtless."

Another group of hardworking men and women, the Provincial Building and Construction Trades Council of Onrario condemns Bill 68 and says it should be scrapped.

A company called Rehabilitation Management Inc, a company that is intimately involved in therapy and treatment of innocent victims or victims of all types says—

Mr Philip: They are located in Ontario too, are they not?

Mr Kormos: They are in Ontario too. They vote; ingurance companies do not.

It says, "The proposed verbal threshold is poorly drafted and too restrictive to answer the needs of those who need help he most. The language of the threshold must be altered."

I remember well and I suspect that other committee mempers remember—the Liberals who were on that committee do not because they prefer not to remember—when trade unionists representing tens and hundreds of thousands of workers apbeared before that committee telling the Liberals that the legisation should be scrapped. I remember when Rob West from the 3t Catharines and District Labour Council came before the committee. The St Catharines and District Labour Council represents a whole lot of Canadian auto—

Hon Mr Ward: On a point of order, Mr Speaker: Under standing order 23(d), I wonder whether or not the member is eading at length from another document. He appears to be.

Mr Kormos: If I can respond to that point of order: (1) it is a dumb point of order and (2) do I have to present any other arguments in defence?

The Deputy Speaker: No.

Mr Kormos: Thank you, Mr Speaker. We will live with he fact that it was dumb. The problem when that happens is hat sometimes I lose my spot, so rather than risk missing somehing, I should go back to the Police Association of Ontario.

The Police Association of Ontario condemns Bill 68. That association represents police officers all over Ontario—small owns, big cities. Down in Niagara South, the police officers from the Niagara Regional Police Force who live in Port Colporne and Fort Erie and vote in Niagara South are represented by the Police Association of Ontario. The police officers from Niagara region who live in Niagara Falls belong to the Police Association of Ontario and are represented by it. They know that as a result of the grossly unfair, even punitive loss-of-income provisions found in the plan, members will be forced to pay higher insurance premiums for income protection plans through their employers. They do not want to see Bill 68 passed. They see Bill 68 as bad legislation, indeed, dangerous legislation.

St Catharines and District Labour Council: When you are talking about a group of trade unionists who live in the area of Thorold, St Catharines, Niagara-on-the-Lake, Grimsby, Pelham,

these tens of thousands of hardworking men and women who are represented by the St Catharines and District Labour Council, these men and women who live in Grimsby, Pelham, Fenwick, Niagara-on-the-Lake, St Catharines, Thorold and Niagara Falls, they say that the burden placed on individual workers who may be required to use sick leave credits or sick pay to offset the already limited responsibility of the insurance company for lost wages incurred by accident victims is unfair. Those workers say that Bill 68 must be scrapped.

Do you want to know something else, Mr Speaker? Those workers have no intention of voting for a government or for members of a party who would propose such unfair legislation and who would desert the drivers, the victims and the taxpayers of Ontario in favour of the profits of the Ontario automobile insurance industry. They have no intention of voting for Liberals in the next general election.

The Social Planning and Research Council of Hamilton and District: "The verbal threshold is unacceptable. It goes beyond threshold systems considered by two government studies."

One moment, Mr Speaker; this one warrants some respectful silence. All these people I am talking about oppose Bill 68. The insurance companies in Ontario support it. Let me tell members about another organization that opposes Bill 68. This warrants some silence. The Sudbury provincial Liberal association, at a meeting held on 28 January, passed a motion which concluded as follows: "The association recommends that the government of Ontario reject the Ontario motorist protection plan in its present form and requests our member to vote against the legislation."

Wait a minute, Mr Speaker, in case anybody missed that. Seriously, this warrants repeating. What I have been doing is going through a list of those people and organizations that oppose Bill 68, they know that Bill 68 is bad legislation. The Sudbury provincial Liberal association passed a motion. It was not just a recommendation they made to their members; they passed a motion calling upon their member, a Liberal, to vote against the legislation, Bill 68. They recommended that the government of Ontario reject the Ontario motorist protection plan in its present form and requested their member to vote against the legislation.

The town of Milton passed a resolution condemning the legislation. The town of Aurora passed a resolution condemning Bill 68. The town of Vaughan passed a resolution condemning Bill 68. Mr Speaker, seriously, this warrants everybody's close attention. The Sudbury East Provincial Liberal Association, at a meeting held 29 January, passed a motion which concluded as follows: "The association recommends that the government of Ontario reject the Ontario motorist protection plan in its present form and it requests our members to vote against the legislation."

I do not understand how the Liberals here can justify their continued support for Bill 68 when their own riding associations democratically call upon them to oppose it, when the people of Ontario call upon them to oppose it. Workers and trade unionists are calling upon the Liberals to condemn and oppose Bill 68. The Police Association of Ontario asks the government to oppose Bill 68. The Metropolitan Toronto Police Association asks the government to drop Bill 68. The Ontario Secondary School Teachers' Federation opposes it. The insurance industry in Ontario supports Bill 68.

The Committee for Fair Action in Insurance Reform opposes Bill 68. The International Brotherhood of Electrical Workers opposes Bill 68. The Lakehead University students'

union opposes Bill 68. The auto insurance industry supports it and wants it passed.

Ralph Nader, an internationally acknowledged consumer advocate, opposes Bill 68. He is saddened by the fact that, as he says, Americans have for a long time looked to Canada and provinces like Ontario for leadership and progressive legislation. Now he sees such dangerous and regressive legislation. He talks about the elimination of compensation for pain and suffering and even compensation for economic loss if an injury does not make the verbal threshold. He says, "In short, Premier Peterson is asking the people of Ontario to buy a pig in a poke."

The Ontario Coalition of Senior Citizens' Organizations said, "In our view, the bill should be scrapped." The Ontario Federation of Labour has this to say: "Bill 68 is seriously flawed. It will have significant and detrimental implications for the average working men and women who are our members." The Ontario Pipe Trades Council condemns the legislation; the Ontario Provincial Council of Labour condemns the legislation; the Ontario Psychological Association condemns the legislation; the Ontario Secondary School Teachers' Federation condemns it; a whole bunch more, along with the Sudbury provincial Liberal association.

I suppose what I should do is commend the members, the voting members of that association; greet them, say hello to them and commend them for their good judgement, along with the Sudbury provincial Liberal association, which called upon all Liberal members to vote against Bill 68.

But the Ontario automobile insurance industry is telling these Liberal members to support Bill 68 and to make it become law as quickly as possible. The Ontario automobile insurance industry is pleased that these Liberals are trying to suppress the opposition, trying to muzzle the opposition, trying to preven meaningful debate.

At this point in the evening, I move adjournment of the debate.

On motion by Mr Kormos, the debate was adjourned.

#### **BUSINESS OF THE HOUSE**

Hon Mr Ward: Pursuant to standing order 53, the busines for the week of 8 April is as follows: Monday 9 April, resuming the adjourned debate on government notice of motion 30 in relation to Bill 68. At the conclusion of the debate on government notice of motion 30, we will proceed to committee of the whole House on Bill 68.

Tuesday 10 April, we will deal with any previously un finished business; on Wednesday we will deal with any previously unfinished business; Thursday, for private members public business, private members' ballot items 41 and 42 standing in the names of the member for Algoma and the member for Sarnia, respectively.

For the orders of the day, at the conclusion of any previously unfinished business of the week, if there is any, we will proceed to third reading debate on Bill 68, and if there is an additional time, we will have second reading debate on Bill 106, 107, 96, 108 and 114.

The Deputy Speaker: It now being six of the clock, thi House stands adjourned until Monday at 1:30 of the clock.

The House adjourned at 1802.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

dams, Peter (Peterborough L) Illen, Richard (Hamilton West NDP)

allinger, William G. (Durham-York L)

eer, Hon Charles, Minister of Community and Social Services (York North L)

Mack, Hon Kenneth H., Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

lossy, Maurice L. (Chatham-Kent L)

radley, Hon James J., Minister of the Environment (St Catharines L)

randt, Andrew S. (Sarnia PC)

reaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)

rown, Michael A. (Algoma-Manitoulin L) ryden, Marion (Beaches-Woodbine NDP)

'allahan, Robert V. (Brampton South L)

ampbell, Sterling (Sudbury L)

aplan, Hon Elinor, Minister of Health (Oriole L)

arrothers, Douglas A. (Oakville South L)

'harlton, Brian A. (Hamilton Mountain NDP)

hiarelli, Robert (Ottawa West L)

leary, John C. (Cornwall L)

ollins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

onway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills

Development (Renfrew North L)

looke, David R. (Kitchener L)

ooke, David S. (Windsor-Riverside NDP)

ordiano, Joseph (Lawrence L)

ousens, W. Donald (Markham PC)

unningham, Dianne E. (London North PC) ureatz, Sam L., Second Deputy Chair of the Committee of the

Whole House (Durham East PC) urling, Alvin (Scarborough North L)

aigeler, Hans (Nepean L)

ietsch, Michael M. (St Catharines-Brock L)

akins, John F. (Victoria-Haliburton L)

dighoffer, Hon Hugh A., Speaker (Perth L)

lliot, R. Walter (Halton North L)

**Iston**, **Hon Murray J.**, Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

pp, Herbert A. (Waterloo North L) ves, Ernie L. (Parry Sound PC)

arnan, Michael (Cambridge NDP)

aubert, Frank (Scarborough-Ellesmere L)

awcett, Joan M. (Northumberland L)

erraro, Rick E. (Guelph L)

leet, David (High Park-Swansea L)

ontaine, Hon René, Minister of Northern Development

(Cochrane North L)

ulton, Ed (Scarborough East L)

urlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L)

Hampton, Howard (Rainy River NDP) Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of

Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon David R.,** Premier and President of the Council and Minister of Intergovernmental Affairs

(London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC) Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and

Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation

(Windsor-Sandwich L)

Vacant, Ottawa South

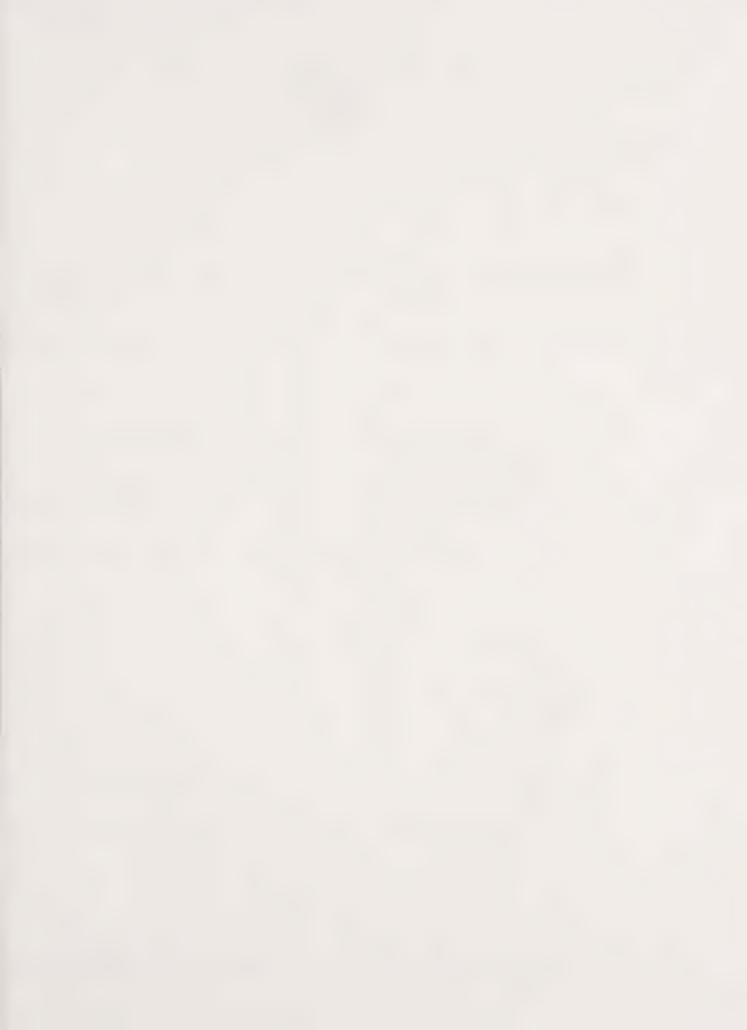
Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

#### **CONTENTS**

#### Thursday 5 April 1990

Private members' public business	Responses
ictims' Bill of Rights Act, 1990, Bill 113	Ontario Amateur Sport Awards
Mr Jackson	Mr B. Rae
Miss Nicholas	Greater Toronto area rapid transit
Mr Kormos	Mr B. Rae
Mr J. M. Johnson	Mrs Grier
Mr Fleet	Mr Pouliot
Mr Runciman	Ontario Amateur Sport Awards
Second reading agreed to	Greater Toronto area rapid transit
epresentation Amendment Act, 1990, Bill 115 400	Mr Cousens
Mr MacDonald	
Mr Pollock	Oral questions
Mr Keyes	
Mr Wildman	Patricia Starr inquiry
Mr Villeneuve	Mr B. Rae
Mr Mahoney	Mr Scott
Mr J. M. Johnson	Mr Brandt Mr Offer
Mr Jackson	Tenant hotlines
Mr Tatham	Mr Faubert
Second reading agreed to	Mr Sweeney
Third reading agreed to	Ms Poole
Members' statements	<b>Attendant care</b>
Members statements	Mr Allen
orthern transportation	Mr Beer
Miss Martel	Contaminated soil
affodil Day	Mrs Marland
Mr Eves	Mr Ward  Capital funding for schools
ublic libraries	Mr Pelissero
Mr Tatham	Mr Conway
oose tag lottery	Alzheimer's disease
Mr Wildman	Ms Bryden
utomobile insurance	Mr Beer
Mr McLean	Highway construction
centennial celebration	Mr Sterling
Mr Pelissero	Mr Wrye
ost-secondary education financing	Women in film
Mr Allen	Ms Oddie Munro Mrs Wilson
apitol Theatre	IMITS WILSON
Mr Villeneuve	Petitions
ncific Rim initiative program	A COLUMN
Mr Velshi	Sault Ste Marie Jail
	Mr Morin-Strom
Statements by the ministry	Closing of campgrounds
. Th	Mr Villeneuve
reater Toronto area rapid transit	Temagami district resources
Mr Wrye	Mr Dietsch
ntario Amateur Sports Awards	Automobile insurance
Mr Black	Mr Pouliot

Choice of health care	Government motion
Mr Cousens  Automobile insurance	Time allocation, motion 30
Mr Mackenzie Mr Laughren Ma Bruden	Other business
Ms Bryden Mr Charlton	Afternoon sitting
First readings	Mr Velshi
Labour Relations Amendment Act, 1990, Bill 133 423 Mr Mackenzie Agreed to	Anniversary of Martin Luther King's assassination 40 Mr Curling Mr B. Rae Mrs Marland
Tobacco Sale Regulation Act, 1990, Bill 134	Reception for Jouzas Kuzmickas
Health Protection and Promotion Amendment Act, 1990, Bill 135	Mr Fleet  Reception for Jouzas Kuzmickas
Mrs Grier Agreed to	Business of the House
Mr Charlton Agreed to	Adjournment









# Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Monday 9 April 1990

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

# Assemblée législative de l'Ontario

Deuxième session, 34e législature

# Journal des débats (Hansard)

Le lundi 9 avril 1990



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

#### Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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#### LEGISLATIVE ASSEMBLY OF ONTARIO

#### Monday 9 April 1990

The House met at 1330.

Prayers.

#### **MEMBERS' STATEMENTS**

#### GOODS AND SERVICES TAX

**Mr Laughren:** Today, all across Canada, seniors, students, farmers and trade unionists are saying no to the goods and services tax and yes to fair taxes. Today, ordinary people are making their voices heard. Ballots will be available to people in their workplaces to vote no to the GST.

The proposed goods and services tax is an attack on working people. This tax is not about decreasing the deficit, this tax is about shifting most of the cost of running our society from the wealthy to poor and middle-income Canadians. The GST is regressive. Low- and middle-income families will end up paying a much higher percentage of their income on the GST than the wealthy. In Ontario, the GST comes on the heels of this Liberal government's increase in the retail sales tax from seven to eight per cent, increasing the unfair tax burden on working people even more.

Most Canadians do not mind paying their fair share of taxes, but there is a growing feeling that the tax system is unfair. The tax burden is being shifted away from big business and the wealthy and on to the backs of middle-income and low-income Canadians.

There is a solution: Impose a minimum tax so that profitable corporations have to pay their fair share; base income tax on ability to pay by returning to a more progressive rate structure so that the wealthy pay a higher proportion of their income in taxes than do poor people; and join most other industrialized countries by having a tax on net wealth as well.

#### SOIL CONSERVATION

Mr Villeneuve: This week marks Canada Soil Conservation Week. The fact that this is only the sixth year in which we are recognizing soil conservation demonstrates how recently we have seen a need to address this most important issue.

In fact, I should point out that Ontario's first major soil conservation program began in 1983 and has continued, with changes, to this year. After seven years of experience, I think we can safely say that soil conservation requires a long-term commitment, not a Band-Aid solution. We cannot address soil conservation concerns with three- or four-year programs. We need programs that will be in place for 10, 15 years and be ongoing. Both the land stewardship program and the Ontario soil conservation and environmental protection assistance II program have not ended, they are simply insufficiently funded.

Soil and nutrient loss costs Ontario agriculture some \$100 million each and every year, and that does not include the pollution that this creates. This government should get serious and do something about it. I urge the minister to act this week. This is Soil Conservation Week. Let's do something positive, because a lot of negative has been coming from this ministry in the last six months.

#### **NOVEL PRODUCTS**

Mr Tatham: The man says it is an exclusive 75-25 blend, wool-to-polyester worsted. It does not wrinkle. You can take a

pant leg and tie it in a knot. Untie it and the fabric is crisp and new. It takes dyes well. It is recommended for business people who fly—no more wrinkled and mussed up suits. Go to your meeting looking crisp and fresh, or better still, why not arrange your meeting in one of our club cars—one special compartment where meetings with up to eight people can be held, or smaller meetings for four people in a compartmentalized salon.

Like to use the telephone? Certainly. We have a bar, restaurant car with shop for the family, family room and nurseries. The atmosphere is warm and friendly, comfort superb. The pneumatic suspension gives you a great ride.

You chunk your time; into your reserved seat; work in comfort; forget the hassle of frisking inspections. Fasten your seat-belt, watching the foggy weather.

You are going to have transportation, yes, but, even more, communication—all at 300 kilometres an hour. Do you still want to buy that new suit?

## HUMBER COLLEGE OF APPLIED ARTS AND TECHNOLOGY

**Mr Philip:** Last week the Minister of Colleges and Universities stated in this House that, "At a time when technology increasingly affects our day-to-day lives, it is vital that we enhance technological studies throughout the province's education and training systems."

It is difficult for the faculty and students at Humber College of Applied Arts and Technology to take seriously the statements of the minister when they are faced with teacher layoffs and the reduction of class hours, particularly in the technology disciplines areas.

Article 9 of the collective bargaining agreement states that when a college plans to reduce the number of full-time employees by five per cent or 20 employees, whichever is less, because of extraordinary financial exigencies, the college must provide the budgetary data used in reaching its tentative decision. The staff then is provided with 30 days in which to propose alternatives. To date, Humber College's board of governors and administration have refused to involve themselves in that consultative process.

In 1985, the Instructional Assignment Review Committee appointed by the government stated that unilateral reduction of courses and programs was one of the leading causes of dissatisfaction and cynicism among faculty members.

#### 1340

I urge the minister to use his influence on the board to take advantage of the offers by students and faculty to assist in solving this educational crisis. The quality of education at Humber College is at stake.

#### **MUNICIPAL FINANCES**

Mr Sterling: Local Government Week in Ontario gives us the opportunity to acknowledge the significant contribution to our communities and province made by the men and women who serve in the front lines of public and political life. We owe them a special vote of thanks this year because, in addition to the usual challenges, they have had to contend with a provincial government determined to make their jobs as difficult and thankless as possible.

The only thing this administration has done for the people who serve on and work for local councils in Ontario is to expand the vocabulary by two words, "offload" and "download." Today, thanks to the Peterson team, there is not a single member of a local government in Ontario who does not know the meaning of these two words.

They know they mean local taxes to pay for provincial programs and policies. They know they mean more political headaches dealing with issues the provincial government avoided and making decisions the province lacked the courage to make. They know these words mean that while the provincial Liberals boast about pay-as-you-go, they want local councils to go deeper in debt to achieve provincial objectives. They know it means that this government's motto is, "The buck stops somewhere else," and that somewhere else is more often than not the local council chamber and the local taxpayer.

I hope this Liberal government will use this occasion to reflect on the fact that local government is a partner, not its serf; that buck-passing is not a policy but a copout; and that people who serve in local government deserve more than this.

#### WETLANDS DONATED

Mr Keyes: On 9 March of this year, Dupont Canada, which has a major plant in the Kingston area, in an act of exceptional generosity, donated 22 acres of wetlands with an estimated market value of slightly in excess of \$1 million. They donated this to the Cataraqui Region Conservation Authority.

This action clearly reinforces Dupont's image as a responsible and environmentally conscious corporate citizen. This presentation of land is unprecedented in the conservation authority's history and is undoubtedly deserving of praise from all citizens of Ontario in general and from Kingstonians in particular.

In the words of Steve Quinn, the site manager: "Dupont is committed to corporate environmentalism as a fundamental value and is determined to bring our environmental stewardship in line with public desires and expectations. Dupont is committed to seeking opportunities to enhance our wildlife habitats."

It is indeed my pleasure to recognize and heartily commend Dupont's generosity in the donation of this land in light of the great importance and emphasis currently being placed on the protection and preservation of parks and conservation areas. I would encourage all corporations in Ontario to take note of this special event, in the hope that they too will seriously consider the great importance of bestowing land for the betterment and use of all citizens for generations to come.

#### CHILD CARE

Mr Allen: The McMurrich Sprouts Day Care kids in Toronto came to the Queen's Park media room to munch their cookies today, but the story their teachers told had a bitter taste.

The nub of their problem is the failure of the Liberal government to live up to either its day care or its pay equity promises. The Liberals promised day care as a public service, but every move by the government since the 1987 election has been a step in the other direction. They said in 1986 that pay equity would have to include day care workers, but now their day care spokesperson, the Attorney General, says child care is too damned expensive and suggests day care workers should look elsewhere for ways to cover their higher wages.

Workers in non-profit day care centres make about \$18,000 per year. Metro garbage collectors make \$10,000 more. Agricultural workers make \$14,000 more. Some municipalities which

have male comparisons have lifted their day care workers to about \$24,000, but the non-profits are stuck with no comparisons and the Liberals refuse to make a cross-professional comparison to give the non-profits the same as the municipals.

McMurrich Sprouts Day Care tried to go half way with a raise last year. They are now \$22,000 in deficit and as a result have to pay off one worker and ask 10 subsidized kids to leave.

The Liberals and their corporate friends want women in the workforce but are not prepared to pay for the family supports necessary. McMurrich Sprouts brought free cookies for MPPs this morning, but you cannot run a day care system on bake sales.

#### DRUG BENEFITS

Mr J. M. Johnson: I would like to bring to the attention of the House a problem faced by senior citizens who are diabetic.

Recently, I had the opportunity of meeting with Mr and Mrs John Bell of Guelph, representatives of the Canadian Diabetes Association, Ontario Division. At that meeting, Mr and Mrs Bell pointed out a grave inequity in the present system, which covers the cost of insulin for seniors under the drug benefit plan but does not cover the cost of syringes. Because of this, many diabetic seniors find it necessary to reuse their syringes for multiple injections, thereby risking infection and subjecting themselves to unnecessary pain. If syringes were made available free of charge to senior diabetics, as they are to other unfortunate groups in our society, this problem would be largely eliminated.

I understand that the Minister of Health is reviewing this matter at this time. I hope that all members of this assembly will be supportive of this initiative and indicate that support to the minister.

#### GREATER TORONTO AREA RAPID TRANSIT

Mr Faubert: This government's \$5-billion commitment to improved rapid transport in the greater Toronto area, as announced last week, is a real boost to the transit users in Metro and the city of Scarborough. To meet the needs of its people and to sustain its economic expansion, improved transportation links are essential. I believe the plan to extend the light rail transit, increase GO rail service, build the Sheppard subway and upgrade Highway 401 is a giant step towards meeting our city's transportation needs.

It seems the third party has also given this issue some attention. Reading through a recent edition of the Scarborough Mirror, I came across a very interesting article. According to the report, the Conservatives have come up with their own unique albeit low-tech, solution to the transportation problem. Their conclusions at an all-day forum in Scarborough were: "Bicycles may be the answer to the alarming increase in automobile congestion in Toronto."

I can see it now, the honourable member for Markham, and the chairman of this task force, getting up at the crack of dawr and mounting his trusty two-wheeler. Perhaps the honourable member has forgotten it is all uphill on the return trip to Markham.

I am not sure whether commuters from Pickering, Missis sauga or Brampton will greet this Conservative proposal with open arms or with tired legs.

In contrast, local municipal leaders have lauded the government's announcement as the most profoundly significant transportation initiative of this century. Putting capital into improving roads and rapid transit will be money well spent Preparing Ontario for future economic and population growth

must be addressed now. I, along with the constituents of Scarborough-Ellesmere, commend this government's commitment to make getting around the Metro area more efficient and more effective.

#### PATRICIA STARR INQUIRY

**Mr Eves:** On a point of order, Mr Speaker: I rise to seek your advice on what I consider to be a very serious point of order arising from the Supreme Court decision of last Thursday with respect to the Houlden inquiry and certain comments from the Attorney General reported in Thursday's Hansard.

The Supreme Court ruled that the Houlden inquiry could not proceed because of certain very specific wording of the terms of reference. However, under questioning in the House last Thursday, the chief law officer of the crown, the Attorney General, issued some very serious warnings to members of this House

I would like to quote from page 44 of last Thursday's Instant Hansard a remark that the Attorney General made in reply to the leader of the official opposition,

"I think the honourable member overlooks the impact of this decision, which has implications not only for this inquiry but for other royal commissions going on and very likely for legislative committees of the Legislative Assembly."

The Attorney General, as the chief law officer of the province, is making a very serious statement. If he is in some way suggesting that the Legislative Assembly and the committees of this Legislature will be restricted in their work as a result of the Supreme Court decision, we should know what those restrictions are.

As our parliamentary institutions have evolved over the the past 500 or more years, it is recognized that the rights and privileges of Parliament are unique and very special. Certainly we, as parliamentarians, should not do anything to abuse or prode those privileges in any way.

However, as parliamentarians, we should also be vigilant in protecting those rights and privileges. We are the elected representatives of the people of Ontario. As a Parliament, we have he right to call witnesses to committees and to call individuals pefore the bar of the House. Parliament as a whole has the right o refer matters to standing committees and under our standing orders the opposition parties have the right to refer matters to committees.

We also have the right to establish select committees to nvestigate certain matters. In my brief reading since last Thursday, I have been unable to find any rulings or guidelines which would restrict the terms of reference we could establish or such committees. I have been unable to find any restrictions on what witnesses we may call or what questions we may pose o witnesses.

### 1350

Indeed, in my reading since last Thursday's statement by he Attorney General, I have found many references to the supremacy of Parliament and the extensive powers of Parliament to call witnesses and conduct investigations. These powers have evolved over hundreds of years, Mr Speaker. I am sure you are as aware as I, and perhaps more so, of the history and the role of the Speaker and the Sergeant at Arms in protecting and enforcing these powers.

It is in your capacity as defender of the rights and privileges of this House that I would ask you to do the following three things:

1. With the assistance of the table, seek the legal advice of three independent constitutional experts on the impact of last Thursday's Supreme Court decision on the powers of the Legislative Assembly and of committees of this Legislature.

2. Review the scope and powers of legislative committees to call witnesses and ask questions of witnesses, giving particular record to the Charter of Biolean at Faradaya.

ticular regard to the Charter of Rights and Freedoms.

3. Review the scopes and powers of the Legislature of Ontario to establish committees and refer matters to committees of the Legislature for study and review.

As you can imagine, Mr Speaker, these questions are of importance not only to myself but to all members of the Legislative Assembly, and I would hope that you would conduct the necessary research and make the appropriate report back to this assembly as soon as possible.

The Deputy Speaker: Thank you. I have listened very attentively. I will consider that very profoundly and I will reserve judgement on that in due time.

#### **ORAL QUESTIONS**

#### PATRICIA STARR INQUIRY

Mr B. Rae: I have a question for the Premier. When he established the Houlden inquiry last June, the Premier stated that the reason for establishing the inquiry was because it was necessary to restore public trust and public confidence in the conduct of public officials. Given that that was the purpose of the Houlden inquiry and that the Premier presumably decided that a police investigation was not sufficient and was not enough to satisfy that test, I want to ask the Premier now why his government is rejecting out of hand the creation of an inquiry that would have the broad responsibility for re-establishing public trust and for looking into and detailing the relationship between the development industry and the Liberal Party of Ontario.

Hon Mr Peterson: I say to my honourable friend that he is quite right. In the established inquiry, as I said then and I say to my honourable friend now, there are no secrets. If mistakes are made, they should be there for all to see and restitution should be made. There is no question about that. We established the commission, and that was the basis upon which we established that.

Obviously, the member and I ultimately have to take our direction from the Supreme Court of Canada on these matters. It went to the Divisional Court, it went to the Ontario Court of Appeal and it was upheld. The Supreme Court of Canada has created new law on this particular matter. At the end of the day, we are obliged to take direction from the highest court in the land.

Mr B. Rae: Is the Premier arguing in front of this House that the Supreme Court has basically said that it is not possible for the Liberal Party, the Liberal government of Ontario, to establish a public inquiry detailing and outlining the links between his party and the development industry in this province? Is that what the Premier is saying the Supreme Court of Canada is saying?

Hon Mr Peterson: I do not pretend to be an expert on this matter, but what I understand the Supreme Court to say is that you cannot carry on a criminal investigation at the same time that you have an inquiry that has compellable witnesses in bearing on the very same subject. It was an issue, I guess, in their minds of the civil liberties of the particular people who are under question.

Mr B. Rae: If I may say so, the Premier is simply indicating that he has not understood what has happened. But I want to go back to the fundamental politics of this situation. The Premier established a public inquiry the day after Gordon Ashworth was found to have received a refrigerator without having paid the bill for it. The day after, the Premier said he felt he had been kicked in the head, and the next day, he announced the Houlden inquiry. That may explain the terms of reference for the Houlden inquiry, I do not know.

The Supreme Court of Canada has simply said that the terms of reference are so restricted and named the individuals involved in such a way that that is not the way to do it. Does the Premier not realize that the Supreme Court has also said very clearly that the province has the right to establish commissions of inquiry in areas of its own jurisdiction? Why does he not do that, unless of course he has something to hide?

Hon Mr Peterson: I think the honourable Leader of the Opposition revealed his view in the preamble to his question when he said, "Let's talk about the politics of the situation." Obviously he thinks he has a political interest in this thing one way or the other. But I think what we have to do is look at the legal side and look at the legal judgement. As I understand what it said, it was that you cannot do indirectly what you cannot do directly. In fact that is the law, not his interpretation of it which, as he said at the beginning of his question, was politically motivated.

Mr B. Rae: We also know, for example, that within the Ministry of Municipal Affairs there was a serious proposal for a public inquiry into the relationship between the planning process and developers, and that in York region. We know that that particular inquiry was nixed after a discussion between Mr Ashworth and other individuals in the cabinet.

We now know that the door was slammed shut back in 1989 with respect to that inquiry. We know that the Premier, having heard the news about Mr Ashworth, then turned around and said: "Quickly, let's get a public inquiry but let's restrict it specifically to Tridel, to Mrs Starr and to Mr Ashworth. Let's not have a broader inquiry. Let's have a very narrowly defined one." That was the Premier's decision. Not ours, the Premier's.

The Supreme Court has said the Premier was wrong to do that. He made a mistake in so fashioning the terms of reference of that inquiry. I want to go back and ask the Premier what is stopping him now from establishing a commission of inquiry that would re-establish confidence in the planning process, re-establish confidence in the integrity of the political process and finally establish once and for all that there may be some laws and rules around here that need to change.

Hon Mr Peterson: I think the member has asked me what is the change, and the answer is the Supreme Court ruling in this entire matter. The member opposite has a different interpretation of this than many other respected jurists in this particular matter. He has his own view of the law of the land; they have their view of the law of the land. The Supreme Court is even supreme to the Leader of the Opposition.

Mr B. Rae: I want to ask the Premier again what it is specifically in the Supreme Court judgement that prevents him from establishing an inquiry that will do what he said needed to be done. Public officials must be open to public scrutiny and, in being so, must be found to be beyond reproach and acting in accordance with the highest ethical standards. Is the Premier standing on his feet today and saying he cannot do that because the Supreme Court of Canada will not let him do that?

Hon Mr Peterson: I am saying exactly what I have said. I am interpreting, with assistance, the advice of the Supreme Court of Canada, which said you cannot do indirectly what you cannot do directly. That is very, very clear.

**Mr B. Rae:** You're not taking the advice of the Supreme Court of Canada. You're taking your own advice.

Hon Mr Peterson: I can say that my honourable friend opposite is not taking the advice of the Supreme Court of Canada. He is following his own political dictates and instincts, which he has every right to do. He is entitled to his interpretation, but that is not the best legal judgement in the country.

Mr B. Rae: The question again to the Premier is this: The Supreme Court of Canada says very specifically that the province has the responsibility for establishing commissions of inquiry. Nothing in its decision takes away from that responsibility. The Premier established the commission of inquiry because he said we have to re-establish confidence in the system. He did not think the police investigation was adequate last June. Why would a police investigation be adequate today?

I want to ask the Premier, if indeed he has nothing to hide interms of the connection between his government, members of his party and the development industry of this province, why not have a public inquiry?

Hon Mr Peterson: My answer is still the same as it was before, since the member asked me the same question on four occasions. We have nothing to hide, as I said to him before. We established the inquiry in all good faith. It went through two levels of courts and was supported. The Supreme Court of Canada had a different view, that things that impinge on someone's criminality, or bring compellable witnesses, are not possible to carry on at the same time. That is their law. We have to respect it. The member does and I do.

#### 1400

Mr Brandt: My question is to the Premier as well on the same subject, the Houlden inquiry. On Thursday, the Attorney General came up with an interpretation of the findings of the Supreme Court with respect to the Houlden inquiry that was the most narrow, the most limited, the most restrictive of almost any voice from the legal community that we have heard on this particular question.

That being the case, where there is open to interpretation the Supreme Court's ruling that in fact an inquiry is quite ap propriate, an inquiry on behalf of the provincial government is within its area of responsibility, and since there were problems with the restrictiveness of the wording of this particular inquiry itself, is the Premier prepared to look at some avenue other that what was put on the table by the Attorney General, namely, the OPP investigation, to follow through and bring to an ap propriate conclusion this whole area of doubt which hangs ove the government and the Legislature of Ontario?

**Hon Mr Peterson:** The Attorney General would be happy to explain to the honourable member why he came to the conclusion he did.

Hon Mr Scott: From the line of questions asked today and from some of the press reports, it seems to me there is misunderstanding of what the Supreme Court of Canada reallisaid. It is not correct, in my opinion and the opinion of m advisers, to say that the case is simply one about the terms of the order in council. The case begins with a thorough discussion about the interaction between an inquiry, whether it be federallised.

or provincially constituted, and a pending current criminal investigation.

Everybody knows that whether the terms of reference in this case are broadened or not, the allegations with which the inquiry will begin and be vested are precisely the same as the terms of reference of the police investigation. so that the court, as it said, focusing on the substance, has made plain, I believe, that the criminal investigation must proceed first. It will proceed and we will see what results from the police investigation.

At the same time, as the honourable leader of the third party knows, there are a number of other inquiries under way, the public trustee's inquiry and the Conflict of Interest Commissioner's inquiry. There is an inquiry in the Commission on Election Finances, which has full power to consider a number of these matters. They will all, I believe, if there is material on which they should report, be prepared to report.

Mr Brandt: The Attorney General knows full well that also contained within the report that was handed down by the Supreme Court was the very clear advice that an inquiry was appropriate on this or other matters to be undertaken as a responsibility of this Legislature. The Attorney General stands virtually alone in stating that his position is that an inquiry cannot go forward as a direct result of the Supreme Court ruling.

Would the Attorney General agree at least to inquire further to get a more specific interpretation as to whether or not an inquiry can proceed by this Legislature to look into these areas of very serious concern, not only to the political individuals who are involved in this Legislature, but to the people of Ontario who have a right to know what happened with respect to all of these particular matters before the inquiry?

Hon Mr Scott: As I think anybody can predict, if an effort were made to broaden the terms of reference of the inquiry, the evidence at the inquiry would proceed, and I suppose it would go on for probably 15 minutes before one of the counsel, being one of the counsel who appeared in the Supreme Court of Canada, would say:

"This is precisely the thing that the Supreme Court of Canada has said you cannot do, conduct an inquiry into criminal matters or matters of misconduct when a police criminal investigation under which we may be charged is under way. The reason you cannot do that is the very reason the Supreme Court of Canada gave, because you cannot be compelled to testify in a police investigation and you can be compelled to testify in a civil proceeding like an inquiry."

Everybody knows that would happen if the inquiry started up again. The Supreme Court of Canada has gone to some trouble, at some length, to discuss the appropriate interaction between a criminal investigation and a pending inquiry. It cannot be done as long as the criminal investigation is under way in these circumstances.

Mr Brandt: I say to the Attorney General that the bottom line of this entire discussion that is going on in this House at the moment is a method by which we can collectively find a way to restore the public's confidence in this system. There have been personal comments made by some of those who were involved in this particular case where they have admitted to certain errors in their ways that have occurred. Some have even indicated they might do the whole thing again. That concerns me because it means that it is going to be business as usual and there will be no restraints, no limitations, in the activities of some people. I think that is wrong.

My question to the Attorney General is—and through him to the Premier, whom I had hoped to ask this question of this afternoon—would he and his government be prepared to look at a reasonable series of steps that I believe his government can take with respect to getting to the bottom of what this issue is all about, namely, that some individuals influence his government with respect to their particular activities. Is he prepared to look with an open mind on some reasonable positions that our party will put forth?

Hon Mr Scott: The honourable member will perhaps recall an exchange that I had with the Leader of the Opposition and the member for Nickel Belt about a year and a half ago when they very earnestly desired, for reasons I understood, that a coroner's inquest should precede a police investigation in criminal charges. I took a line on that occasion, which they did not find satisfactory and I understand their views, and decided that the criminal investigation must proceed to its completion before the coroner's inquest can be held.

Only two weeks ago, the Supreme Court of Ontario held precisely the same thing in the Beckon inquiry. It says that as long as investigation is pending, a coroner's inquest has no right to consider the question of murder or suicide. That was followed last week by this decision, in which the Supreme Court of Canada said that it is not simply a question of the terms of the order in council.

There is another question, which is the juxtaposition of a criminal investigation which may lead to police charges in a criminal court on the one hand and at the same time a commission of inquiry where people who may ultimately be accused can be compelled to testify against their will with penal sanctions. It is in that context, these two conflicting things happening at the same time, that the Supreme Court of Canada spoke.

My honourable friends will surely concede that it would not make any difference in reality, in substance, as Mr Justice Lamer said, if this commission had been established by the federal government, though the argument was dealt with in a sections 91 and 92 context. The court was addressing a major problem about the interrelationship between a criminal police investigation, where people have rights not to testify, and an inquiry going on at exactly the same time. This is not like Nelles. Here it is exactly the same time where people have the right under our Constitution and Criminal Code not to testify. It was that juxtaposition that presented the problem in this case and still presents it.

#### CONSTITUTIONAL ACCORD

Mr Eves: I have a question of the Premier. I would like to address the issue of Meech Lake this afternoon and I would like to read him a quote from his colleague Premier Wells from Newfoundland. I am quoting him out of a Toronto Star article dated 27 March, just a couple of weeks ago: "Frankly, I don't see how we can pass the Meech Lake accord as it is and address the concerns of Newfoundland or Manitoba in a parallel or companion accord." Does the Premier agree with that statement?

Hon Mr Peterson: The answer is, I do not know for sure at this moment. Obviously, he has the right to speak for Newfoundland. He is the first minister there, and I assume he speaks with the support of his cabinet and his party in that regard. I regret very much that he has chosen to take the actions that he has, particularly when others, like Premier McKenna, are searching for constructive solutions to this very, very difficult and complex problem.

The hope was obviously, with respect to the introduction of the motion by Premier McKenna, that it would be able to gather some consensus around it. It was not presented as a take-it-or-leave-it proposition; others may choose to add to it. As my honourable friend knows, today in the federal Parliament committee hearings have started to discuss that particular matter. The hope is that some consensus will be gathered around that process in the next few weeks or so, but I cannot tell my honourable friend with any certainty the outcome of those hearings or those discussions.

#### 1410

Mr Eves: The Premier has just stated that he regrets Premier Wells has taken the position he has taken. Does he think it is appropriate for him to participate in a \$1,000 fundraising event in Toronto on 17 April billed, to quote the Globe and Mail, as "Meech and Merriment," mixing cocktails with constitutional crisis? Does he think that is appropriate for him as first minister of this province at a very difficult time in our constitutional history?

Hon Mr Peterson: Of course there is absolutely nothing inappropriate whatsoever, except maybe to the member and John Crosbie. John Crosbie is the new arbiter of good taste in this country? Good lord. I mean, that is the most pretentious aspiration I have ever heard of anybody in my life. It is like John Crow complaining about mortgage interest rates being too high.

He is a fellow Premier and I have absolutely no problem with that whatsoever. We have a strong difference of opinion on Meech; there is no question about that. We have very strong and different views about the nature of this country and the kinds of solutions we can find together. But I tell my honourable friend that does not preclude me from trying to work together with my colleagues in other matters to try to build a stronger Canada.

Mr Eves: Nobody in this House this afternoon is quoting John Crosbie unless it is the Premier himself. Maybe he puts himself in the same class. Does the Premier think this is particularly appropriate, is what I asked him, as first minister, and does he think turning a constitutional crisis into a frivolous, partisan event entitled "Meech and Merriment" is appropriate? Does that present and send the sort of signal we want to send to the other provinces, to Ontarians and to Canadians about this issue? Will the Premier not reconsider partaking in this event on 17 April?

Hon Mr Peterson: Really, my friend is getting more like John Crosbie every day, except he is not funny. He has bad judgement but he is not funny, and that is one of the differences.

Let me tell my honourable friend that I think he gets too carried away with this and really does not understand the reality of trying to build consensus, trying to build strong things that we have in common across this country.

#### GOODS AND SERVICES TAX

Mr Laughren: I have a question for the Premier concerning his government's opposition to the goods and services tax. The Premier will know that all across Canada today ballots are being held in the workplace against the goods and services tax, yet his government has refused to allow its employees to vote on the job. One moment the Treasurer is saying that he is opposed to the tax, but is falling all over himself to collect it. The Premier says he is opposed to the goods and services tax, but he will not even let his employees vote against it on the job.

Could the Premier please tell us how serious he is in his opposition to the goods and services tax. Is he more serious that he was in his opposition to the free trade agreement? Less serious? About the same? How serious is he and what is he going to do about it?

Hon Mr Peterson: I think the honourable minister in charge of the civil service can help my honourable friend out on how that decision came about.

Hon Mr Elston: We have maintained our opposition to the GST, but in relation to the request that came to us as an employer, there was a request that there be time given, off job duties, to vote. Actually the request was for between 15 minutes and half an hour for each of our employees to vote and that—

Mr Laughren: Not true.

**Hon Mr Elston:** It is true, because I saw the letters. I have seen the direct letters that came through to the people.

Mr Laughren: I have it.

Hon Mr Elston: The member has the one that is probably for public consumption, but I know what was requested of people. There was a request made for 15 to 30 minutes off job time to vote on this.

We take this as a very serious issue in relation to what should be registered in terms of disappointment with the federal authorities on this tax, but we do not think it is something that cannot be done either prior to or after the regular job time and in fact it does not relate specifically to the job that is being done by the Ontario public service.

We had been requested for permission to have time off and to have the ballot boxes in the workplace, and we felt that it could be accomplished other than in that place. I think there are a good number of people who will take advantage of voting their discontent with the goods and services tax, but it does not have to be done during job hours.

Mr Laughren: It was our understanding that this government—I know that the Attorney General certainly, that formerly great civil libertarian—is in favour of allowing more political rights for its employees in the province of Ontario.

I wonder if the minister could tell us, how is it that Ontario joins the Nova Scotia Tories as the only other government in Canada that has refused to give permission to its employees to vote on the job on this very important matter?

**Hon Mr Elston:** It seems to me that there is ample opportunity for people to make—

**Hon Mr Bradley:** They left out the vote on their affiliation with the NDP.

Hon Mr Elston: Perhaps, as the member for St Catharines has just noted, a vote on their affiliation with the NDP should be allowed. In our view registering a dissent against the GST is well within anybody's rights and should and must take place in a person feels strongly about it, but there is no real, particular need to allow somebody between 15 minutes and 30 minutes off work to do that. That was what the letters in draft form given to the stewards on the job requested.

We think there is real merit in people registering their concern and protest about the negative implications of the goods and services tax, otherwise named by some honourable members in the federal House and even chairmen of committees there. The people can register their dissent, and I think they can find good and reasonable ways of pursuing their discontent about the goods and services tax at the federal level.

9 APRIL 1990 447

#### LOTTERY PROFITS

Mr McLean: In the absence of the Minister of Tourism and Recreation, I will direct my question to the Premier. I want the Premier to know that we are pleased the province has finally agreed to the bid in support of the very worthwhile Toronto Olympics.

On Thursday the minister said the province would provide up to \$125 million of lottery revenues for the construction of additional facilities. The minister has already decreased the share of revenues to provincial culture and recreation activities in this province by designating a portion of the lottery revenues to the health care system, and within the last couple of weeks has taken an additional slice with the Bill 19 amendment to put money into the environment.

How many slices can the Premier take from an increasingly smaller pie, and who is going to be hurt by this additional designation of funds, culture groups, health care or the environ-

Hon Mr Peterson: I am glad the member supports the Olympics, and I assume he is not against increasing the budget for the environment because I know he cares passionately about that. The answer to my honourable friend is that everybody wins. One of the realities of the Olympics bid is that there are going to be additional new facilities around the province. There will be an ongoing legacy for amateur sports. My friend is well aware that a great number of the sites, the high school facilities and others across Toronto and across the province, will be substantially upgraded for the Olympics.

I think my honourable friend can go home and tell his colleagues that with the Olympics, it will be wonderful for all parts of this province and no one's share will be decreased. As a matter of fact there will be a far larger contribution to sports and recreational facilities across the province.

**Hon R. F. Nixon**: Remember, everybody wins.

Mr McLean: The Treasurer says everybody wins. Really, the Premier is saying and confirming what the minister said, that the province will assume any debt. Really, what he has done is given them an open blank cheque. I ask the Premier, if the deficit is \$1 billion, will he provide the funds for that?

Hon Mr Peterson: I can assure my honourable friend that I do not plan to have a baby over this; I tell my honourable friend that. There is a specific commitment of funds in this particular regard. There was that commitment to the city of Toronto. But I want to tell my honourable friend at the very same time that there are sufficient controls built in so that we do not believe it is going to run into that situation.

We believe that this can be run, as I said, on a self-contained basis and that there will be no money lost. The funds will not come from the taxpayers but from lottery funds. As to the capital commitment, there will be an ongoing legacy for all. We are very comfortable with the assistance we have given to the city of Toronto in this regard.

1420

#### CONTROL OF SMOKING

Mr Neumann: My question is for the Minister of Health. April is Cancer Month in Ontario. Recently I was speaking with Dr Goodyear of the Hamilton Regional Cancer Centre and he told me that most forms of cancer are on the decline or are under control. The one big exception is lung cancer, which is on a steep rise upwards. I know the Ontario government has shown

leadership by banning smoking in all our workplaces that we have under our control, here at Queen's Park and in different ministries.

Could the minister inform the House what she is doing as Minister of Health to encourage the banning of smoking or requiring the banning of smoking in all health care institutions across Ontario.

Hon Mrs Caplan: I want to commend the member for his question and the comment he is making about the importance of people not smoking. Quitting smoking or not starting smoking is probably the most important thing you can do for your own

The member is quite right: This is Cancer Month and it is an opportunity for us to be very aware of the many initiatives under way. I can tell him that the Ministry of Health has shown great leadership. Under the leadership of the former minister, it was declared a smoke-free workplace, the first in the government of Ontario, and it has been very supportive of the legislation in the province, both internally within government and in the workplace as well.

We have been encouraging the hospitals of the province to follow the lead and I am pleased to tell the member that many have declared themselves smoke-free workplaces.

Mr Neumann: Last fall I had the privilege of attending the ground-breaking ceremony of the expansion of the Hamilton Regional Cancer Centre. I believe the Premier was there. In talking to the doctors there, they say that treatment facilities are very scarce and that we need resources for cancer treatment. Is it not much better to prevent cancer in the first place? We know that smoking causes cancer. Why not provide a little more emphasis, a little more direction to those health care facilities, and perhaps even require them to ban smoking on their premises?

Hon Mrs Caplan: The member, when he stresses prevention, I think is doing a great service to the people of this province, because in fact cigarette smoking has been directly linked to cancer, heart disease, emphysema and respiratory diseases. That is what our health promotion campaign and programs are all about. As the member knows, we have undertaken public education campaigns to give people the information they need so that they will stop smoking. I believe that both the hospitals of this province and other health care providers are taking a look at how they can promote good health and encourage the people who use their facilities to quit smoking.

As the member knows, hospitals are autonomous. They are run by boards of directors. I would encourage all members of this House to ask their hospitals what their smoking or nosmoking policies are. I think they will find that many are progressive in eliminating smoking in their institutions and facilities.

#### ST JOSEPH'S TRAINING SCHOOL FOR BOYS

Mr Kormos: I have a question to the Premier. Hundreds, perhaps thousands were the victims of almost unspeakable, horrific violence when they were in the care and custody of St Joseph's Training School for Boys in Alfred during the 1950s and 1960s.

Sergeant Al Crocker of the OPP says that Mount Cashel is nothing compared to what took place at St Joseph's. No action was taken by the government in response to the complaints back then of physical and sexual abuse. These same persons, now adults, live with the open wounds inflicted on them by the staff of that facility. We know a criminal investigation is being done by the OPP, but at the same time people in Ontario have a right to know the extent of the violence at St Joseph's and similar institutions. The victims of that violence have a right to appropriate remedial care.

Why will the government not commit itself to a public inquiry with a view to determining those two very specific things that are so essential at this point in our province's history and in the lives of those victims?

Hon Mr Peterson: To my honourable friend, I do not think the government rules that out by any stretch of the imagination, but obviously whatever is done has to take into account the new ruling of the Supreme Court in this particular regard. As my honourable friend knows, there is a police investigation going on at the present time.

I have enormous sympathy for those gentlemen whom I have seen speaking on television, as the member has. I know there was a request coming forward for assistance with respect to counselling and we will do anything we can to try to help those people. I have instructed the ministries today to try to be as sensitive and responsive as we possibly can.

As I said, there is a police investigation there. It is proceeding apace, so I am told. I cannot tell my honourable friend where that will go, but at the end of the day, obviously subject to the new constraints, we do not rule out anything at this point, but we have to obey the new laws.

Mr Kormos: The Ministry of Community and Social Services reported back in May 1989 after the Sepp death that there were serious inadequacies in standards and procedures in young persons' facilities across Ontario. There is no mechanism existent in Ontario right now that would prevent another St Joseph's. Is not a public inquiry the ideal process with which to develop such a mechanism, an independent body with which to investigate the complaints of youngsters, children, about this type of violence?

Hon Mr Peterson: I am not sure I understand my honourable friend's suggestion, if he has one in his question. He may have some better way to do these things. I find what happened there absolutely deplorable. There is no question about it. The fact that it only comes out recently, after some 20 years or 25 years, again is a major question for our society. Anyone who responds to the question of little children being abused by people in authority, I know, finds it absolutely repugnant. There are a number of mechanisms and systems in place. I am not arguing with my honourable friend. They are effective. With any luck, they are more effective now than they were 25 years ago. I think what we want, all of us, is to be as sensitive as we possibly can. If we can improve the system, surely that is our responsibility.

#### AIR QUALITY

Mrs Marland: My question is for the Minister of the Environment. As the minister knows, his officials tested the air in Elmira on 3 April using its TAGA mobile air-testing laboratory. The Environment ministry has now released the test results, which indicated that the air contained traces of N-nitrosodimethylamine, a chemical which is known to cause cancer in animals and may also cause cancer in humans.

The Ministry of the Environment did not provide a public interpretation of its Elmira air quality test. This is totally unacceptable. The people of Elmira and the surrounding areas are left wondering whether their air poses a threat to human and animal health and safety. Can the Minister of the Environment

tell this House why his ministry did not interpret the significance of its findings on the Elmira air quality test?

Hon Mr Bradley: As the member would know, we sent the TAGA machine in as we do around the province to various places where there are requests for it, or where a need which has been determined for it. We sent it in to this particular area to identify a source, if there is a source of NDMA in the area. In fact, the source was identified at the Uniroyal plant itself. There was testing done in the area around, and it was non-detectable in the neighbourhoods or areas around. It was right on the plant site itself.

The medical officer of health was informed, and the citizens' liaison committee, the local citizens' group. We have informed the Department of National Health and Welfare of the preliminary results and requested its advice on this matter. We have identified the source right at the plant itself.

Mrs Marland: Identifying the source is not answering the question. We feel it is irresponsible to announce the results of those tests for a chemical that is known to cause cancer, and then to subject the people of Elmira to worrying about whether their air is safe to breathe, without providing some interpretation of those results. What is it that his Environment ministry is doing to develop safety standards and guidelines for the presence of NDMA in air?

Hon Mr Bradley: As the member knows, we consult with the Department of National Health and Welfare in these matters. She would recognize that there are not many people in this world who are looking for NDMA. We are probably one of the very few jurisdictions that does. We wanted to present the information to the people in the area at the earliest possible opportunity. I read one of the reports that compared it, for instance, to being in a room where there was smoking taking place and other things of that nature.

The member would know that there are not pieces of information around that are particularly relevant in this case, which is why we consult the Department of National Health and Welfare on it. We felt that it would not have been wise to simply say, "Well, we are not going to provide the results until we have interpretations there." We did identify all the people, identified it in this specific area, and the company, at the present time, is addressing that particular source.

1430

#### **AUTOMOBILE INSURANCE**

Mr Callahan: My question is to the Minister of Financial Institutions. I have received calls and I have also had questions asked by members of my riding with reference to Bill 68 as to what impact, if any, that will have on their accumulated sick leave.

Hon Mr Elston: There are a number of people who are interested in this particular issue because they have been informed that they must use up all of their sick leave before they take advantage of insurance under the car insurance program and, in fact, that does not have to be the case. There are options available to people who take unpaid leaves. In fact, a request can be made and, if granted, then they would access the no-fault weekly benefit reimbursement, which would take them up to 80 per cent of their gross wages. If they did not purchase optional additional coverage, that would mean, tax free, \$600 per week. So there are a number of options open to those people who are concerned about sick leave, and they should pursue those and

449

understand them more fully than either the opposition or some of their own advocates who are providing them information.

Interjections.

**Mr Callahan:** I will probably have to read that answer in Hansard, because the official opposition was making so much noise I could not hear it. People from my riding are interested in that answer. Perhaps the opposition is not.

I have had seniors, housewives and students, who really may have no form of income, concerned about the question of how they would be treated under Bill 68. Could the minister explain that to us?

Hon Mr Elston: One of the advantages of this program has been that we have added substantial increases to the benefit level. Particularly for homemakers who are unpaid, there will be an increase to the level of \$185. The same is true for seniors who did not participate in no-fault benefits before. That will go, as well, to \$185 a week. The same with respect to students and again with respect to those people who are unemployed: There will be up to \$185 per week paid.

There is a good bit of misinformation out and about in the communities. One of the problems has been that people will not acknowledge that we have expanded substantially the no-fault benefits on this program to take the place of what had previously been an adversarial process wherein suit established between at least two lawyers, if there were only two parties, or more, could take up a tremendous amount of time and in fact penalize the innocent victim by making him or her wait not only several months but, in some cases, years to receive any payment. By that time, there could have been substantial loss to their own ability to keep mortgages in good stead and also to protect their own businesses.

We have payments being made quickly under the no-fault benefits. We have an insurance commissioner who will insure that payments are started within 10 to 30 days, depending on the type of request that is made. The benefits are real and they provide people with money in their pockets when they need it most, and that is at the time they are recovering from injuries as a result of car accidents.

#### **VISITORS**

The Deputy Speaker: Before we proceed with the next question, I would like to bring to the attention of the members four honourable guests from the House of Commons in Ottawa. In the east members' gallery, Dr Maurice Foster, the member for Algoma; Bob Wood, the member for Nipissing; Diane Marleau, la députée de Sudbury and Reginald Belair, le député de Cochrane-Supérieur. Welcome to the House.

#### TENANT HOTLINES

Mr D. S. Cooke: I have a question for the Minister of Housing and it is concerning his gutting of the tenant hotline program to offer information to tenants in the evening, both in Ottawa and Toronto. The programs were run by the Federation of Ottawa-Carleton Tenants Associations, the Federation of Metro Tenants' Associations, as well as the Metro Tenants Legal Services.

The minister's argument last week was that these programs could be gutted because he was going to pick up the slack with his own hotline run by his ministry. The Ministry of Housing's 1989 internal review of its rent review services public education program states that client service staffers are temporary, there is a high turnover rate and they have inadequate training and

orientation. Further, there was a study conducted by Parkdale Community Legal Services which showed that calls going to the Toronto rent review office from tenants often got incorrect and incomplete answers.

The hotlines that were provided in Ottawa and Toronto by the tenants were trusted by the tenants and gave a high quality of service, admitted by the ministry itself. Why is the minister taking away that high-quality service and, instead, putting it into his ministry with the service that has already been condemned by his own internal reviews?

Hon Mr Sweeney: I find it a little unusual that this kind of criticism would be coming, because the honourable member may be aware of the fact that it was Ministry of Housing staff who trained the people working the telephone lines for the tenants' association. In other words, they received the same training from my ministry's staff as our own staff did. That is the first point.

The second point is that the program, which started in 1988, was a 12-month pilot program to determine exactly what kind of response there would be and what kinds of costs we would face. We discovered in fact, after two years, because there were two extensions, that the tenant hotline in Toronto was receiving an average of six calls a night. The province-wide hotline that was set up last week is receiving 17, half of them coming from the Toronto area. Therefore, there is obviously a higher match as far as the numbers are concerned.

As far as the cost is concerned, we are able to set up across the entire province, in both English and French and with the device for the hearing-impaired, a program that will cost no more than we are spending in Toronto alone. I think that is a reasonable and efficient use of the dollars that we have.

Mr D. S. Cooke: The minister obviously does not understand what the tenants require in this province. They do not need to call bureaucrats who are running a program designed already to hurt tenants in this province. There is no confidence in the government's rent review system; there is no confidence in the bureaucrats who administer that inadequate service. Maybe the minister would understand if he would visit these services and talk to tenants who have confidence in people who are prepared to advocate on their behalf and not just give bureaucratic lines designed by the ministry.

Now, this program cost \$102,000 to run and provide the service. We can argue about the numbers of calls. They do not agree with the minister's analysis.

The minister has underspent his budget in the last four years by \$133 million. The tenants need this service for their development. Would the minister not reconsider providing the service to tenants? If the minister thinks it should be provided across the province, why does he not establish tenant-controlled information lines across the province and not gut the ones that exist now?

Hon Mr Sweeney: First, as my honourable colleague well knows, it is not just the hotline with the tenants' association; we also have hotlines through the legal aid clinics offering the same kind of advice.

The second point I would draw to his attention is that while we have hotlines in Toronto and Ottawa right now at the very cost figures that he has indicated, we have requests at the moment from several other municipalities, places like Kingston and Hamilton, and the cost would go up exponentially if we did that.

The honourable member made the observation that there was a surplus in this ministry's budget in previous years. I can

tell him that there is no surplus this year. As a matter of fact, there is going to be a shortfall that I have to make up.

On top of that we are already anticipating, despite the fact that we are getting a significant increase from the Treasurer, a shortfall from some of the services we have to provide next year. It is my responsibility as a minister, as a good manager, to use the resources I have most efficiently. If I can provide a service to cover the entire province in both English and French and assist the hearing-impaired, and do it for the same dollars I am doing it for Toronto alone, in addition to the fact that the tenants have their program during the day and the legal clinics have their programs, I think that is an efficient and a well-managed use of the resources of this province.

1440

#### INMATES' MENTAL HEALTH SERVICES

Mr Cureatz: I have a question of the Minister of Correctional Services.

Interjections.

The Deputy Speaker: Order, please.

Mr Cureatz: The minister indicated last week, and it is reported in the press by, among other people, Claire Bickley and Robert MacLeod, that mentally ill prisoners comprise up to 18 per cent of the prison population in this province. I have a couple of specific questions for the minister in particular. If he does not have the information, perhaps he would be so kind to advise me at another time. How many meetings has he had with the Minister of Health on this issue, when were those meetings held and on what date can we expect a decision on the establishment of proper facilities for treatment of mentally ill inmates?

**Hon Mr Patten:** The member for Durham East is becoming quite precise in his questions, which is quite interesting.

First of all, I have not had an opportunity to meet directly on this particular issue with the Minister of Health. However, as I think the member knows, we have an interministerial committee that is looking at the impact of those people who have behavioural disorders in our particular institutions.

I think it may be important to clarify something: Different terms mean different things to different people. I think it is important to understand that in the community at large there are a number of individuals who have disorders but are able to be stabilized and to function to some degree. From time to time, many of these individuals perhaps go off their medication, commit some kind of offence and, by way of the court, end up in our particular care. We have a whole system to try to respond as effectively as we can with them.

The Deputy Speaker: Thank you.

Hon Mr Patten: I notice that the Deputy Speaker is waiting for me to respond to the member's supplementary to continue on.

Mr Cureatz: That is right. I can only say that the minister's answers are beginning to sound like the way I used to answer questions in a previous life.

With this great revelation that the minister gave to us last week and with my inquiry of him on the possibility of selling the location of the Whitby Jail, and with those funds opening up a brand-new facility on property located at the Whitby Psychiatric Hospital so that we could provide a facility not only conducive for inmates to be trained properly so that they would

not be repetitive but also close at hand to the Whitby psychiatric institution to alleviate the kinds of problems that the minister expressed last week, would the minister be so kind as to forward to the committee that is investigating this overall approach the possibility of the sale of the Whitby Jail and a long-term approach to providing a new facility at the Whitby psychiatric location?

Hon Mr Patten: Number one, I would prefer to see the economics of the member's friend in real estate who believes that the sale of that particular site could replace a whole new facility. The information I have is that the economics are just not there. If that is erroneous, I would be happy to receive any other kind of analysis of that.

Number two, the member wants some very specific information related to some of the treatment programs we have. I point out that we have a vast network of centres that I believe any hospital would be proud to have connected with it: The Ontario Correctional Institute, which has 220 beds and is known to be a very effective institution in terms of treatment of people with certain kinds of disorder; the Guelph assessment and treatment unit has 76 beds, etc. There is a new northern treatment centre that is being established at the moment, which we hope to open up fairly soon, which has 96 beds.

The member can see that over the course of time there are additions to the services in recognition of trying to be as positive and as effective as we can be in treating some of the people who have certain kinds of behavioural disorders.

#### ASSISTANCE TO FARMERS

Mr Tatham: My question is for the Minister of Agriculture and Food. Last week I had a meeting with a number of farmers and various commodity groups, and the question came around to this matter of the \$500 million that the federal Minister of Agriculture is proposing for financially stressed Canadian grain farmers. Is the minister aware of the details of this proposal? What steps has he taken to ensure that our Ontario grain producers are treated equitably, that we get our share?

**Hon Mr Ramsay:** It is always a pleasure to respond to the inquiries of the member for Oxford.

When we were at the ministers' conference in Ottawa a couple of weeks ago, Mr Mazankowski literally threw upon the table at the last minute, this \$500-million offer to the provinces across this country. Basically, we do not know the details of this program, other than that the federal minister agrees with me that it should be national in scope. It should also include those grains that are fed on the farm. Also preferably, rather than just a straight ad hoc program, we would like to see such a funding program flow into a national tripartite stabilization program so that we can get on to permanent financial farm programs on a national basis.

**Mr Tatham:** Is there a timetable for these federal-provincial discussions? When is this going to take place?

Hon Mr Ramsay: I have asked our officials to get the criteria as quickly as possible from the federal government as to how and when we could possibly access these moneys. As the member knows, one of the conditions placed on this program by the Honourable Don Mazankowski was that the provinces match dollar for dollar any program funding, so obviously we would have to have those discussions once we know the criteria.

9 APRIL 1990

I would just like to add that I will be meeting this week with representatives from all the commodity groups in this province to get their input on how we should proceed.

#### CHILD CARE

Mr Allen: I have a question for the Minister of Community and Social Services. The McMurrich Sprouts Day Care this morning brought 46 children to this Legislature to tell the Minister of Community and Social Services and the Liberal government that it is the failure of this government to respond, to deliver its promises for pay equity for day care workers, that is the nub of its problem.

Their workers, like most in nonprofit day care, make about \$18,000 a year. They looked at their workers and said, "Surely they are worth as much as garbage collectors in this same city, who get \$10,000 more, or farm workers, who get \$14,000 more per year." So they decided to give them a very modest increase, which put them in a deficit position, and now in order to recoup that deficit, because no subsidies have flowed to them to meet their crisis, they are going to have to lay off 10 subsidized spaces.

The Deputy Speaker: The question?

Mr Allen: The Ministry of the Attorney General has said it is too damned expensive to meet these costs of pay equity for the workers in the nonprofit day care system and they should find their money elsewhere. Is that the attitude of the minister and, if so, where does he think they should go to get the extra money?

Hon Mr Beer: I think the record of this government over the last number of years in terms of the funding of the child care sector has been a very laudable one. We recognize the problem around the salaries for those who are working in the child care centres. That was one of the reasons we brought in the direct operating grants. This year, this adds some \$61 million to that sector.

As the honourable member has pointed out, there has been a problem under the pay equity program. What we are looking at on a continuing basis is how we can recognize much more adequately the contribution of child care workers in terms of the compensation package they receive. Certainly that remains a commitment of myself, to see that they are appropriately salaried and that they have the kind of support they need. We are going to continue to look at that to ensure that we can make more progress both this year and in future years to do that.

Mr Allen: Piecemeal top-ups and so on, which have been the history of this government in the past with respect to day care workers, simply are inadequate. It is not a good enough answer, either, to say that there can be no comparisons found to meet the salary needs of day care workers. It is true there are no comparators, directly speaking, in the nonprofit day care sector, but where there are comparators in the municipal system, those comparisons have been made and the salary level in this area is up to \$24,000 a year.

Surely, at least as a first step towards pay equity for day care workers in the non-profit sector, the minister would use the municipal day care salary as a comparator. It has been made on a legitimate pay equity basis. Let him use that as his model and subsidize accordingly. That would get—

The Deputy Speaker: Minister.

Hon Mr Beer: We are looking at a number of approaches in terms of this specific problem. I remain very concerned about both this sector and that of homemakers where we have a great

number—indeed, almost 100 per cent of those working in those areas are women. While we have been able to cover a tremendous number, by far the largest number, of women working under the pay equity program, there is an important group that is not covered. That is why we have to continue to try to find the means to give them more remuneration.

451

I make a commitment to the honourable member, as I have to those in the child care sector, that we are going to find ways to do that. It is not going to happen overnight but I remain committed to ensure that their salaries go up.

#### COMPENSATION FOR VICTIMS OF CRIME

Mr J. M. Johnson: The question is to the Solicitor General. I had intended to ask the Attorney General or the Premier, but the Solicitor General will have to do.

The Solicitor General may recall that on Thursday 17 November 1988, almost a year and a half ago, my resolution dealing with compensation of victims of crime was debated and unanimously supported by this House. In fact, I believe the Solicitor General, as parliamentary assistant at that time, spoke in favour of it. The resolution called for review of the Compensation for Victims of Crime Act.

My question is, does the Solicitor General know if the Attorney General ever intends to refer this legislation to a committee of this Legislature for the purpose of a review?

Hon Mr Offer: I think that the member's question, as he poses it, is one which is most properly before the Attorney General. But when the member does talk about assistance to victims and that whole area, I think the member should be very well aware that in the new Police Services Act, which I introduced last December, there is a specific acknowledgement of assistance to victims. There is a whole new impetus and direction, not only with police services across this province but in a wide range of other areas where this government has shown its initiative and its momentum in addressing this very important issue.

We have addressed that particular matter as a principle in the new Police Services Act. I have addressed the issue in the whole area of victims of sexual assault. I certainly appreciate the members' support in the initiative which this government has already taken in this very important area.

#### KRISTA MORRIS

**Mr Wildman:** I hope, Mr Speaker, you will accept this as a matter of privilege. I hope all members would join me in congratulating one of our pages, Krista Morris, on her 14th birthday.

Interjection.

The Deputy Speaker: No, the Speaker will not sing Happy Birthday.

#### **PETITIONS**

#### MOOSE TAG LOTTERY

TIRAGE POUR LA CHASSE AUX ORIGNAUX

M. Wildman: J'ai une pétition à l'Assemblée législative de l'Ontario.

"Whereas there is a lot of discontent among moose hunters concerning the present moose lottery system; and

"Whereas there is a large number of hunters who have been unsuccessful in the draw for an adult moose tag for a number of consecutive years; and "Whereas many hunters feel it is vot feasible, financially or otherwise, to participate in the hunt, if they have not been awarded an adult moose tag;

Nous, soussignés, adressons à l'Assemblée législative de l'Ontario la pétition suivante :

«Que le coût d'une licence pour un orignal mâle soit remis aux chasseurs qui n'ont pas de succès aux tirages pour un orignal mâle adulte et qui ne désirent pas participer à la chasse d'un jeune.»

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That the cost of the moose licence be refunded to those hunters who are unsuccessful in the draw for an adult moose tag, and who do not wish to participate in a hunt for a calf."

I am signing my name to this petition, which is signed by approximately 290 residents of White River, Dubreuilville, Wawa, Goulais River, Sault Ste Marie, Echo Bay, Bruce Mines, Thessalon and Iron Bridge in the great district of Algoma.

The Deputy Speaker: Before we proceed with the next petition, may I remind members that there are many private conversations and many members standing around, which makes it difficult for the Speaker to concentrate on petitions. Order, please.

#### FRENCH-LANGUAGE SERVICES

Mrs E. J. Smith: I wish to present three petitions on behalf of members of the riding of the member for Timiskaming. These three petitions are all in the traditional form, objecting to Bill 8 and asking that the government not proceed with it. I have signed these even though I do not concur with the petition.

#### **AUTOMOBILE INSURANCE**

Mr D. S. Cooke: I have a petition.

"To the Legislative Assembly of the province of Ontario:

"We, the undersigned, hereby register our concern and protest over the exclusion of permanent mental disorders in the threshold definition of the new Ontario motorist protection plan.

"We respectfully request that the Legislature consider amendment of this proposed threshold definition to recognize the potential for permanent mental disorder resulting from a traumatic event such as an auto accident. To omit mental illness from the definition is discriminatory and implies that the resulting damages are neither substantive nor acceptable."

I have signed it.

**The Deputy Speaker:** May I make a second request to members who would wish to have private conversations to take them to the east or the west lobby, please.

#### WASTE DISPOSAL

Mr D. W. Smith: I have a petition to the Lieutenant Governor and the assembly of Ontario. This petition I am presenting today from constituents from my riding of Lambton regards the responsibility of each municipality to deal with its own waste. There are approximately 20 petitioners on this petition, and I have affixed my signature to the bottom as well.

#### **AUTOMOBILE INSURANCE**

Mr Philip: I have a petition that is similar to the one that was introduced by the member for Windsor-Riverside. It contains 11 signatures. It protests against Bill 68 on the grounds that this bill causes discrimination for those who are affected as

a result of mental illness being omitted from the definition and it implies that the resulting damages are neither substantive nor acceptable.

Those of us who were on the committee know that there was ample evidence to support this petition, and I have signed the petition.

Mr D. S. Cooke: These petitions are just flooding in on their own, so I have another set of petitions.

"To the Legislative Assembly of the province of Ontario:

"We, the undersigned, hereby register our concern and protest over the exclusion of permanent mental disorders in the threshold definition of the new Ontario motorist protection plan.

"We respectfully request that the Legislature consider amendment of this proposed threshold definition to recognize the potential for permanent mental disorders resulting from a traumatic event such as an auto accident. To omit mental illness from the definition is discriminatory and implies that the resulting damages are neither substantive nor acceptable."

I have attached my signature.

**Mr Morin-Strom:** I have several petitions here, signed by more than 30 residents of a number of communities in southwestern Ontario, including St Thomas, Aylmer, London and Port Stanley.

The petitioners express their concern about the exclusion of permanent mental disorders in the threshold definition of the new Ontario motorist protection plan. Their request is "that the Legislature consider amendment of this proposed threshold definition to recognize the potential for permanent mental disorders resulting from a traumatic event such as an auto accident." They are concerned that, "To omit mental illness from the definition is discriminatory and implies that the resulting damages are neither substantive nor acceptable."

I support the content of this petition. I have affixed my signature to it and hope that the government will address it in a serious fashion.

#### 1500

Mr Philip: Mr Speaker, I have a petition here to the Legislative Assembly of the province of Ontario. In the past few days I have tried to abide by your recommendations and summarize the contents of petitions. However, my colleagues have pointed out to me that sometimes my summaries are longer than reading the petition, so I will read the petition to you, which is not all that long. It says:

"We, the undersigned"—and I assume that means all of the 25 people who have signed this, who come from Windsor, Tecumseh, people in those areas—"hereby register our concernand protest over the exclusion of permanent mental disorders in the threshold definition of the new Ontario motorist protection plan.

"We respectfully request that the Legislature consider amendment of this proposed threshold definition to recognize the potential for permanent mental disorders resulting from a traumatic event such as an auto accident. To omit mental illness from the definition is discriminatory and implies that the resulting damages are neither substantive nor acceptable."

I agree with the petition and I have signed it.

**Mr Charlton:** I have a petition signed by 41 residents of London, St Thomas, Aylmer and a number of other communities in the southwest. The petition says:

"To the Legislative Assembly of the province of Ontario:

9 APRIL 1990

"We, the undersigned, hereby register our concern and protest over the exclusion of permanent mental disorders in the threshold definition of the new Ontario motorist protection plan.

"We respectfully request that the Legislature consider amendment of this proposed threshold definition to recognize the potential for permanent mental disorders resulting from a traumatic event such as an auto accident. To omit mental illness from the definition is discriminatory and implies that the resulting damages are neither substantive nor acceptable."

I agree with this petition and have affixed my signature thereto.

Mr Wildman: I have another petition. It is similar to the one that was just proposed by my colleague the member for Hamilton Mountain. This is a petition dealing with Bill 68, the proposed so-called no-fault insurance plan. It is addressed to the Legislative Assembly of the province of Ontario. It is signed by residents of London and St Thomas.

It requests that the Legislature consider amendment of the proposed threshold definition to recognize the potential for permanent mental disorders resulting from traumatic auto accidents. I support this petition and have affixed my name thereto.

**Mr Morin-Strom:** I have a longer petition that has been signed by residents of the province of Ontario. Because of its length, I will not read the petition in total but just summarize some of the points that the petition makes.

These petitioners are very concerned that Bill 68 is legislation that makes tragic changes to the rights of innocent injured motor vehicle accident victims. They are particularly concerned that there is nothing in Bill 68 that gives effect to the Premier's promise, in 1987, that he had a very specific plan to reduce auto insurance premium rates. They are concerned that the Liberal government's auto insurance legislation, as proposed, will in fact provide enormous taxpayer subsidies to the private corporate auto insurance industry, costing Ontario taxpayers at least \$141 million in the first year alone.

In particular, there is concern that the insurance legislation will deprive innocent injured victims of at least \$823 million in compensation that will be denied to them. Throughout they are concerned that the Premier and the Liberals have refused to listen to hundreds of submissions made to them calling upon them to abandon this bad legislation. Therefore, as a result, they are petitioning the Legislative Assembly of Ontario as follows:

"That Peterson and his Liberal government end this sellout of taxpayers, drivers and victims and that they immediately withdraw Bill 68."

I have signed and endorsed this petition and I hope the government acts upon it today.

Ms Bryden: I have the honour to present a petition to the Legislative Assembly of the province of Ontario. It is on the subject of the deficiencies in Bill 68, the new Ontario motorist protection plan. One of the loopholes that this petition refers to is the exclusion of permanent mental disorders in the threshold definition of the new Ontario motorist protection plan, and it calls for the Legislature to consider amendment of this proposed threshold definition.

Mr Philip: But who signed the petition?

**Ms Bryden:** The petition has been signed by seven people from southwestern Ontario.

**Mr Philip:** Anyone from Leamington?

**Ms Bryden:** Yes, there is Don MacLellan from 26 Southbridge Street, Leamington.

453

I have signed this petition and I support it.

Mr D. S. Cooke: There are some more petitions that have arrived on my desk from London. I guess they figured that the opposition would present these, whereas the members from London may not.

"To the Legislative Assembly of the province of Ontario:

"We, the undersigned, hereby register our concern and protest over the exclusion of permanent mental disorders in the threshold definition of the new Ontario motorist protection plan.

"We respectfully request that the Legislature consider amendment of this proposed threshold definition to recognize the potential for permanent mental disorders resulting from a traumatic event such as an auto accident. To omit mental illness from the definition is discriminatory and implies that the resulting damages are neither substantive nor acceptable."

This is signed by four people, one from London on Wonderland Road, another from London on Wonderland Road and several from St Thomas.

Mr Philip: I have another petition against Bill 68. It says:

"We, the undersigned, hereby register our concern and protest over the exclusion of permanent mental disorders in the threshold definition of the new Ontario motorist protection plan."

Oh, I forgot to tell you, Mr Speaker, these are generally from the Windsor area.

An hon member: Are there any from Leamington?

**Mr Philip:** Why yes, as a matter of fact, there is somebody from Leamington, Sandy Gabriel at 10 Camelot Avenue, Leamington.

The Deputy Speaker: A short résumé please.

**Mr Philip:** It says:

"We respectfully request that the Legislature consider amendment of this proposed threshold definition to recognize the potential for permanent mental disorders resulting from a traumatic event such as an auto accident. To omit mental illness from the definition is discriminatory and implies that the resulting damages are neither substantive nor acceptable."

I have signed this. I must say that when our committee was in the Windsor area—

The Deputy Speaker: Thank you.

**Mr Philip:** —we did meet with many of these people.

Miss Martel: I have a petition, as do the rest of my colleagues, addressed to the Legislative Assembly of Ontario concerning Bill 68. This petition addresses some of the salient points of the bill, why it is so lousy. Just in case you have forgotten why, Mr Speaker, I am going to make a point of going through a few of them: first, "because the bill makes tragic changes to the rights of innocent, injured victims" in the province; second, because "the Peterson government has made it clear" right from the beginning "that they wanted this legislation rammed through," and they continue to do so; third, because there is nothing in this bill "that gives effect to David Peterson's specific promise in 1987," made in Cambridge, that in fact there would be a reduction.

I have affixed my signature to it. There are other points I would like to make, but I am sure you will hear them tomorrow, Mr Speaker.

#### INTRODUCTION OF BILL

#### GAME AND FISH AMENDMENT ACT, 1990

Mr Wildman moved first reading of Bill 137, An Act to amend the Game and Fish Act.

#### 1513

The House divided on Mr Wildman's motion, which was agreed to on the following vote:

#### Ayes-53

Ballinger, Bradley, Bryden, Callahan, Campbell, Carrothers, Charlton, Chiarelli, Elliot, Elston, Epp, Faubert, Fawcett, Fleet, Grandmaître, Haggerty, Johnson, J. M., Kerrio, Keyes, Kormos, Laughren, Leone, Lupusella, MacDonald, Mackenzie, Mahoney, Martel, McCague, McLean, Miclash, Miller, Morin, Morin-Strom, Neumann, Nicholas, O'Neill, Y., Philip, E., Poole, Pouliot, Rae, B., Ramsay, Reville, Roberts, Ruprecht, Smith, D. W., Smith, E. J., Sola, Stoner, Tatham, Velshi, Villeneuve, Wiseman, Wildman.

#### Navs-0

Mr Wildman: This is essentially the same amendment that the government was intending to bring before the House as part of its Game and Fish Act, which it has not proceeded with. The purpose of the bill is to require hunters to wear not less than 3,250 square centimetres, approximately 500 square inches, of blaze-orange material or some other quantity of coloured materials as the regulations will permit to ensure the safety of hunters in the bush. In view of the unanimous support for the bill, I would ask for unanimous consent to move to second reading.

The Acting Speaker (Mr Breaugh): Is there a unanimous consent?

Negatived.

#### ORDERS OF THE DAY

## TIME ALLOCATION (continued)

Resuming the adjourned debate on government notice of motion 30 on time allocation in relation to Bill 68, An Act to amend certain Acts respecting Insurance.

Mr Kormos: Subject to the Speaker's control of the course of the proceedings, we may well talk about Frigidaires and Sherwin-Williams before the afternoon is over, the sort of things that are so close to so many Liberal members. I suppose the real question is, how can you ever tell that the light goes off when the door is closed, but I do want to remind all of us what we are talking about. We are talking about the motion moved by the House leader for the Liberals, as follows:

#### 1520

"That, notwithstanding any standing order or special order of the House, in relation to Bill 68, An Act to amend certain Acts respecting Insurance, two sessional days shall be allotted to consideration of the bill in the committee of the whole House. All amendments proposed to be moved to the bill shall be filed with the Clerk of the assembly by 5 pm on the first sessional day on which the bill is considered in the committee of the whole House. At 5:45 pm on the second of these ses-

sional days, those amendments which have not yet been moved shall be deemed"—listen, Mr Speaker, please; shall be deemed—"to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment"—and that warrants emphasis, because this is the motion that we are debating right here and now—"put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Upon receiving the report of the committee of the whole House, the Speaker shall put the question for the adoption of the report forthwith, which question shall be decided without amendment or debate.

"That one further sessional day shall be allotted to the third reading stage of the bill. At 5:45 pm on such day, the Speaker shall interrupt the proceedings"—shall interrupt; cut them off, interrupt them—"and shall put every question necessary to dispose of this stage of the bill without further amendment or debate.

"That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes."

One can close the book on that motion, and one can argue very effectively that if that motion passes, it is tantamount to closing the book on democracy.

Last week, last Thursday, I told you, Mr Speaker, that my goal at this stage of my argument was to have the mover of the motion withdraw that motion. My goal was to persuade the House leader, and if not the House leader directly, his colleagues, those men and women who make up the Liberal caucus here, to persuade the House leader to withdraw that motion.

It would end this debate. As I understand the rules of procedure, and please correct me if I am wrong, if the House leader withdrew that motion, I would have nothing left to speak to, because one cannot operate in a vacuum. I would be forced to sit down. I would be forced to say no more about this cruel, oppressive motion before the House.

So I look forward to that time when the House leader stands up on a point of order and says, "I withdraw this motion." I have recognized, and my colleagues in the Liberal Party have recognized, that this motion is an affront to democratic process, that it is an affront to parliamentary tradition, that it is an affront to fairness, that it is an affront to decency. I look forward to the House leader rising on a point of order to advise us, to advise this House, to advise you, Mr Speaker, that he withdraws that motion.

Last week, on Thursday—and again, that stage of the argument was to the end of having the House leader withdraw the motion—I was in the process of arguing this facet, of all the many considerations that have to be made with respect to this motion, and that is to say that the public disapproval of this legislation is so widespread that to impose such a pathetically short period of time on all of us for consideration of the bill is to treat those members of the public with disdain.

My reasons for saying that were based on, among other things, the contents of a tabloid published by a lobby group, a lobby group that is opposed to this legislation, no two ways about it. Mr Speaker, you recall it, a group called the Committee for Fair Action in Insurance Reform. What I had done was make reference to their tabloid and I had read the list of groups and organizations and political parties—at least, their riding associations—that were opposed to the legislation, in contrast to the auto insurance industry, which has been significantly in support of the legislation, and for very good reason. I spoke of those in the context of this motion, this closure—this time allocation motion.

I read of the trade unions. I read of the police officers' associations, both provincial and municipal. I read of teachers' federations. I read of labour councils from various areas in the province, all opposed to the legislation.

I read of municipalities in Ontario that had passed resolutions in their city and town councils condemning Bill 68, condemning this insurance scheme of the Liberal Party and of the big insurance companies, and I named the town of Aurora and the town of Milton and the town of Vaughan as having passed those resolutions and the city of Welland as having passed a resolution that condemned Bill 68 and called upon the government members to abandon, to drop, to dump that legislation.

I made an error, Mr Speaker, and I apologize for that. I was wrong. I extend my sincere apologies to you, to the members of the Legislature and to those persons who might be listening and who might have listened last Thursday, because I left the impression that it was the cities of Orillia, Sarnia, Sault Ste Marie, Welland and Toronto and the towns of Aurora, Milton and Vaughan which had passed resolutions condemning Bill 68, condemning the Liberal insurance scheme. I neglected to advise the House that many more municipalities in addition to those have passed similar resolutions condemning Bill 68, and I apologize for not having listed them last Thursday.

I apologize to those communities, because obviously those communities have taken careful stock of what this government is trying to impose on the people of Ontario, and after a process of debate on their own part-and I will bet you this, Mr Speaker. I do not know whether it is proper for the Speaker to bet with members or not, but if you were able to bet and you were willing to bet, I would bet you dollars to doughnuts that in not one of those municipalities where resolutions came before the council and they voted condemning the bill, I will bet you in not one of those councils did they impose closure or time allocation on the length of debate. I will bet you that in each and every one of those municipalities across Ontario, those many municipalities which are calling upon the Minister of Financial Institutions and the Premier of Ontario to stop serving and servicing the interests of the insurance industry and start taking care of the people of Ontario, I will bet you in not one of those municipalities did they have to consider a motion like the one before us, having been moved by the Liberal House leader.

Let's take a look at the municipalities which have passed resolutions condemning this insurance scheme, calling upon the Liberal government to vote against it. As I say, it is important to address our minds to that, because what that reveals, what that demonstrates for us, is the significance of the debate. What it demonstrates for us—I am going to refer back to the motion so that I am correct in my references to the motion. Bear with me please, Mr Speaker, because I want to be specific in my references to that motion. It is important that the restrictiveness of it not be in any way underestimated or in any way understated.

They call them sessional days. In some respects, it could be illusory for some of the people who are listening to this, because we are not even talking about full days. It talks about two sessional days for committee of the whole consideration. We are not talking about two days; we are talking about, at the very best, the small portion of two afternoons, perhaps two hours or two and a half hours, to consider over 30 amendments by the Liberals to Bill 68.

**Mr Pouliot:** On a point of order, Mr Speaker: With respect, important and profound things are being said, in my opinion, and in accordance with the standing orders, the House is not duly constituted. Will you please check for a quorum?

The Acting Speaker ordered the bells rung.

1533

**Mr Kormos:** I thank the members for coming in here to listen to this argument.

Hon Mr Elston: Your leader walked out.

Mr Kormos: Well, my leader knows the argument.

What we were talking about is municipalities that have roundly condemned the Minister of Financial Institutions, the Premier of Ontario and those Liberal members who show such disdain for the public by supporting legislation like Bill 68.

For the region of York, seven of the nine municipalities which make up the region—Markham has passed a resolution condemning Bill 68; Richmond Hill has passed a resolution condemning Bill 68; the municipality of Vaughan has passed a resolution condemning Bill 68; Aurora has passed a resolution condemning Bill 68, and like those other municipalities, has said to the Liberals: "Please abandon this bill. Dump the legislation now before you hurts innocent injured victims, before you impose heavier tax burdens on taxpayers in Ontario, before you contribute to premium costs that, according to the Minister of Financial Institutions, are going to go up by 50 per cent if this legislation passes."

They are talking about premium increases of as high as 50 per cent, a \$1-billion payday to the auto insurance industry, generated in large part by denying at least 95 per cent of innocent injured accident victims any compensation for pain and suffering or loss of enjoyment of life; a taxpayers' subsidy of \$141 million at least, perhaps as high as \$143 million, by virtue of the elimination of tax obligations on the part of the automobile insurance industry in Ontario and by the elimination of the indebtedness of the insurance industries to OHIP for claims which rightly ought to be held against it.

What were we talking about? Those municipalities which passed resolutions and, as I say, not one of them forced closure, forced time allocation on its council members: Markham, Richmond Hill, Vaughan, Aurora and Newmarket. The municipality of Newmarket passed a resolution condemning this Liberal auto insurance scheme, this threshold system that the Liberals imported from Michigan, from the United States. They have made it even more onerous, they have made it even more cruel, they have made it even more draconian than the state of Michigan would dare impose on its citizens. So the town of Newmarket joins those other municipalities.

Whitchurch-Stouffville, another municipality, has passed a resolution condemning Bill 68, calling upon the Liberals and their Minister of Financial Institutions and their Premier to abandon this legislation. The municipality of East Gwillimbury passed a resolution condemning Bill 68, condemning this insurance resolution. Yet these Liberals would dare say that we do not debate this; these Liberals would dare say that this Parliament should muzzle the opposition.

These municipalities joined the municipalities of Cornwall and North Bay. Both those cities condemned Bill 68 in resolutions before their city councils. The city of Orillia, in its wisdom, has passed a resolution telling the Liberals to take Bill 68 and dump it before they hurt more innocent injured accident victims and because the insurance companies are doing quite fine, thank you, and do not need the help of this industry. Sarnia and Sault Ste Marie I talked about last Thursday as being among the municipalities in Ontario which have passed resolutions condemning this auto insurance scheme.

The city of Toronto, of course; Milton, of course. We spoke about those earlier. Hamilton; Brampton passed a resolution condemning Bill 68 and opposing Bill 68. The city of Brampton sent a message to its representative here at Queen's Park tantamount to saying, "Please, if you are going to act for the residents of Brampton, if you are going to act for the people in this municipality, to do that you have got to oppose Bill 68, because the will of this municipality is that Bill 68 be dumped."

The city of Woodstock has passed a resolution condemning Bill 68. The city of Woodstock joins those others as among the many municipalities in the province of Ontario which condemn Bill 68, which call upon Liberal members—because we know where the opposition members stand. I told the members last week, we have no stake with the insurance industry. We in the New Democratic Party do not owe the insurance industry one penny or one favour, not by any stretch of the imagination.

We ain't beholden to the auto insurance industry, which is why we are opposed to this motion for time allocation and why we are opposed to the motion of the House leader. We are not indebted to the auto insurance industry. We do not see it as our task in the New Democratic Party to increase the profits of the insurance industry by an extra \$1 billion in the first year alone, by virtue of taking that money from taxpayers, innocent injured victims and drivers in Ontario. We speak out condemning this motion, condemning this government for its seemingly bold and unashamed advocacy of the interests of the insurance industry.

It becomes all the more perplexing when one recognizes what a great American influence there is in the auto insurance industry in Ontario. It becomes fascinating that this government, these Liberals, would try to ram it through without debate—because that is what this closure motion is all about, what this time allocation is all about—when in fact the profits that they are generating are almost as often as not going to go into American pockets as they are Canadian pockets.

#### 1540

That is where some of the big shareholders, that is where some of the big ownership interests of these very same automobile insurance industries, that these guys are in the back pockets of, are from, the United States of America. My goodness, anybody who would ever suspect that the free trade sellout of Ontario took place only on Parliament Hill had better pay close attention to what is happening here.

I am just overwhelmed on a daily basis by the continued and growing opposition to Bill 68 and the criticism of it. This is why full debate is needed. The reason I cite these things—I do not purport to argue the issue of Bill 68 when discussing this motion. That would be inappropriate. It would be inappropriate for me to argue Bill 68 during the course of discussing the motion. I know that.

I want to impress upon the members of this Legislature how important full debate is, which is why I raised these issues. I do not believe the Liberal members of this House have the letter, dated 2 April, from the National Action Committee on the Status of Women. I will bet they do not have it. I will bet not a single one of the people sitting here has a copy of that letter to the honourable Premier, dated 2 April 1990, from the National Action Committee on the Status of Women.

It says, "Dear Mr Premier," most politely and most appropriately. The interest of this organization is to look out for the welfare of women in our country and to speak out on their behalf when need be. It is not a partisan organization. Their interest is to safeguard women in our society.

Let me tell you, Mr Speaker, and more important the members, because I suspect that you indeed are aware of the position of the National Action Committee on the Status of Women and I know that you, as Speaker, have probably made it a point to educate yourself about all of the background material concerning Bill 68 and all of the opposition that there is in the community and across the province to it. I want to read this letter because I suspect that it has not been made available yet to the members of the Liberal caucus. If they had had it available to them, their position on this motion, their position on Bill 68, might well have been different.

Let me read it to the members. It is dated 2 April 1990, addressed to the Honourable David Peterson, Premier of Ontario, Room 281, Legislative Building, Queen's Park, Toronto, Ontario, M7A 1A1. I should say that—one moment, Mr Speaker. There are a few people out there watching and I am going to read you some of the letters I have been receiving lately because again they lend weight to this argument in opposition to the motion for closure.

There are a few people out there watching and they are the ones who are—I received phone calls, not only here at Queen's Park but down at the constituency office in Welland-Thorold, saying, "What's the Premier's address?" This is it. The National Action Committee on the Status of Women wrote to the Premier, and this is the address you can write to him at: Honourable David Peterson—or Premier of Ontario, or Dave Peterson, if you wish, or just Premier—Premier of Ontario, Room 281, Legislative Building, Queen's Park, Toronto, Ontario, M7A 1A1.

I suspect if they simply wrote, "Premier of Ontario, Legislative Building, Toronto," or, "Premier of Ontario, Queen's Park, Toronto," the correspondence would get to him. I know that the Premier welcomes their letters. He disregards them, obviously, because he has received thousands and thousands and thousands of contacts, calls, cards and letters condemning Bill 68 and he does not appear to have listened.

"Dear Mr Premier:

"Re: Bill 68

"The National Action Committee on the Status of Women is compelled to write to you regarding this legislation"—Bill 68, the auto insurance legislation that the Liberals do not want to have any debate on; that is what this motion is all about—"which if passed in its current form entails serious consequences for the women of Ontario."

This is what they write: "We believe that not only will all innocent victims unnecessarily and unjustifiably suffer an enormous loss of benefits"—we have been telling the people of Ontario and the people of Ontario have been telling the Liberal members that for months and months now, that all innocent victims will unnecessarily and unjustifiably suffer an enormous loss of benefits, if this legislation passes—"but the legislation also discriminates against women in a number of ways."

Of course, they go on to list those ways that women specifically are going to be hurt by Bill 68, by this legislation that the Liberals do not want to have any meaningful debate on.

"1. In many cases, benefits to injured children will be inadequate to provide for their proper care and to compensate them for financial losses."

It is not lawyers saying that, not people with an axe to grind, not people with a vested interest or a monetary interest, is it, Mr Speaker? This is the National Action Committee on the Status of Women. As I say, I know you have read this correspondence because you make it a practice to be aware of the public commentary about Bill 68.

In this letter, dated 2 April 1990, to the Premier regarding Bill 68 they write that "not only will all innocent victims unnecessarily and unjustifiably suffer an enormous loss of benefits, but the legislation also discriminates against women in a number of ways."

As I started to read: "1. In many cases, benefits to injured children will be inadequate to provide for their proper care and to compensate them for financial losses. As most single-parent households involve women"—of course they are not saying all; they are saying most. There is nothing inaccurate or even unreasonable about that, is there? Of course not, and women in Ontario know that—"the plight of the children will be more sorely felt by women than by men. Even in two-parent households, the primary care giver is more often women than men."

Again, what is remarkable about this correspondence is that it does not try to overstate the case. It states their case in very modest language, in language that does not flow in the direction of hyperbole but rather flows towards caution. "In some cases"—and they say "in some cases"—"mothers will be forced to place their children in institutions rather than caring for them in the home." That is true. That is what Bill 68 is going to mean to women in Ontario if Bill 68 is passed by these Liberals.

All we are asking for when we oppose this time allocation motion is a meaningful period of time in which to debate the issues. That is all we ask. We see it as our job as members of this Legislature to participate in a healthy, full and meaningful debate, and we know that cannot take place in a period of a couple of hours a day for but two afternoons when the Liberals alone have over 30 amendments to pass, which will more than use up the time they would have allocated to discussion of Bill 68. That is damned nonsensical, is it not, Mr Speaker? You know it and these members know it.

#### 1550

This is from the National Action Committee on the Status of Women:

"2. The act discriminates against women who have temporarily left the labour force to raise a family. For example"—I, of course, read this before I came into the Legislature this afternoon with a view to seeing whether this example is absurd or realistic, and of course it is not absurd; it is a very valid example. Again, if anybody has a quarrel with it, then so be it.

Listen to this, please. This is the way in which Bill 68 is going to specifically condemn women in this province to far less than what should be rightly theirs. This is specifically how Bill 68 is going to be discriminatory against women:

"The act discriminates against women who have temporarily left the labour force to raise a family. For example, if a woman in this situation becomes an accident victim, her injuries may delay her return to the work force. She would receive only \$185 a week in disability benefits regardless of what her income would have been in the labour force."

The National Action Committee on the Status of Women, in its typical manner of understating its case, neglects to point out that this is not just a single threshold piece of legislation—I am going to talk about this in the days and weeks to come—it is a double threshold piece of legislation. That is something which the Liberal members of the standing committee on general government in the brief time—that is one of the problems with the brief time the Liberals permitted for the general government committee to hear submissions and have discussion and some exchange there. The Liberals could not get it through their heads that this was in fact a double threshold system. There was

a threshold to pass if you wanted to get into the courts to sue for general damages. There was also a threshold that you had to pass for your so-called no-faults. There is a threshold for both aspects of the legislation.

When the National Action Committee on the Status of Women talks about a disabled woman getting a maximum of \$185 a week in disability benefits regardless of what her income would have been in the labour force, I can go farther and qualify that and say "maybe," if indeed she satisfies her insurer that she is sufficiently disabled, if she passes the no-fault threshold that this bill and its regulations contain. Really, it is a big "maybe" as to whether or not she is going to get that \$185 a week.

More likely the scenario is this—I know I am interrupting this National Action Committee on the Status of Women letter.

The best illustration is a young lady who was, sadly, a victim of a horrible automobile accident, one Wendy Crawford. Members might remember her, having read the newspaper reports of the trial.

Ms Crawford, a wonderfully gifted young lady, as a result of this accident was forced into a wheelchair. Her lower limbs are rendered lifeless by a criminal driver. She of course, while the determination of the total amount of damages is pending, expects to get her no-fault benefits from her own insurer.

We have had those in this province for a long time now, so there is nothing new about no-faults, and it is absurd that the Liberals could call this no-fault insurance. It is threshold insurance. It is something substantially different than what we have had. Were it new no-fault insurance, why we would have no opposition to it at all. I hope that is clear. We would have no opposition at all.

Ms Crawford, who indeed does receive her no-fault benefits, accepts an invitation from what I understand was the Attorney General's department to appear at an anti-drunk-driving rally. Because she is such a wonderful and multitalented young person, notwithstanding the cruel disability that was imposed on her by a criminal driver, she has fought that and she has rallied her own soul to permit her to fight back. She attended that rally. From her wheelchair—her lower limbs being lifeless, as I have said—she spoke out to an audience of young people and old people and told them about what drunk driving can do to people's lives.

As a result of that her insurance company cut off her nofault benefits, because it said, "Ms Crawford, if you're well enough to go and speak at anti-drunk-driving rallies for the Attorney General, you're well enough to go to work." That was her own insurance company.

There is nothing in Bill 68 that cures the inherent nature of the auto insurance industry. There is nothing in Bill 68 that makes them more humane, that makes them kinder in spirit, that makes them more generous with their money.

Ms Crawford's scenario is so absurd, yet at the same time it is so horribly obscene. So when the National Action Committee on the Status of Women, in its condemnation of Bill 68, very modestly points out that an unemployed woman who may have been employed two years earlier or who might have been employed a month down the road—what happens under this legislation is that the woman whom the National Action Committee on the Status of Women speaks of is the same woman who was scheduled to begin a contract position, let's say as a consultant, for \$40,000, \$50,000, \$60,000 a year two months from now. If she is crippled by a drunk driver or a careless driver or a negligent driver or a reckless driver, she will be lucky to get her \$185 a week, notwithstanding that this drunk

prohibited her from commencing that \$40,000-, \$50,000- or \$60,000-a-year job. That is what this legislation is all about.

This is the response that the National Action Committee on the Status of Women has to the stupid, dumb comments that these guys come up with in a pathetic attempt to sell this miserable package of profit insurance. Members have heard these clowns on almost a daily basis saying, "Well, if what we're providing by way of Bill 68 is not adequate, go out and buy more." That is what they have been saying time and time again. But the National Action Committee on the Status of Women has this to say about that, "It should be noted that private disability coverage is generally unavailable to protect women in such situations." That makes short shrift of those pathetic, miserable arguments that are being made to try to peddle this miserable piece of legislation, does it not?

I cannot for the life of me understand why the Premier would not share this correspondence with his colleagues in the Liberal Party. Surely, as the leader of that party and as the Premier of Ontario, correspondence received by the Premier that is as significant as this deserves to be distributed among the members of his caucus. Sometimes you just wonder what kind of institution is being run right here. To think that the Premier would not distribute this piece of correspondence to members of his caucus so that they could even begin to make a learned decision about the bill and about the time closure motion is really abominable, and it is shameful. Shame on him.

We go on further about the letter from the National Action Committee on the Status of Women, the letter dated 2 April 1990, to the Premier of Ontario. "3. The act"—they are talking about Bill 68—"discriminates against small business operators." We have talked about this many, many times, have we not? We have a government here that talks a big line about free enterprise. This government's idea of small business is small business: the entrepreneur who has 500 non-union employees. Those are the kind of people this government embraces. That, to the Liberals, is small business. We have told this Legislature, we have told the committee and we have told these people in the hallways and in their offices. I have begged with them to please be more supportive of small business people, small entrepreneurs. For so many of our communities, that the backbone of the economies in our respective communities. I know it is for Welland and Thorold. We value the heavy industry that is there but we know that in this day and age of Liberal de-industrialization, of exorbitantly expensive electricity costs here in the province of Ontario, this Liberal government has generated an environment that is hostile to big industry.

#### 1600

That is why I oppose this time closure motion. That is why I speak about what I am speaking about right now. The National Action Committee on the Status of Women has this to say, in addition to the two previous points, about Bill 68, in a letter to the Premier that it appears the Premier did not have the decency to share with his colleagues. Never mind decency to his colleagues: What about decency to the National Action Committee on the Status of Women? Come on. Do the women of Ontario not deserve better treatment than that?

I am reading from the letter again. I realize I should get back to the letter before I say something unfortunate. I just cannot tell members how disturbing I find that. It is really abominable behaviour, damnable behaviour.

In any event the letter, paragraph 3, says: "The act"—Bill 68—"discriminates against small business operators. If one be-

comes an innocent accident victim and her business goes bankrupt as a result of her inability to run the business while recovering"—that is not a bizarre example, is it? It is not a bizarre or strange example. Listen to what Bill 68 does to small business people. "If one becomes an innocent accident victim and her business goes bankrupt as a result of her inability to run the business while recovering, she may receive no compensation for her loss of her business." Zero, zip, not a penny, not a nickel, not a dime; nothing in compensation for the loss of her business.

That is as an innocent injured accident victim, a totally innocent victim. As a person without fault, as a person who is a victim of a drunk driver, a careless driver, a negligent driver or a dangerous driver, she receives not a penny. This small business person receives not a penny for the loss of her business.

The National Action Committee on the Status of Women is quite right. This legislation that they are proposing, that they want to rush through because they do not want to have debate about it, is not just anti-women; it is anti-small-business, bethey women or otherwise.

Point 4 of the letter, a point well made: "Women in general usually make less money than men." We are trying to rectify that as an opposition, without a great deal of support from the Liberals in this Legislature, the sad reality that women in general usually make less money than men notwithstanding that their jobs, as often as not, are equal in terms of what is demanded of them. If members want to know something, I bet you do not have to go much farther than this very building to find examples of that. We are trying to rectify that. Organizations are spearheading the movement for pay equity and job equity, such as the Ontario Federation of Labour, with Julie Davis spearheading that on behalf of the federation without a great deal of help from these clowns sitting on the Liberal benches.

In any event, back to the letter: "Women in general usually make less money than men, own less property and have fewer resources to tide them over the experience of being an innocent accident victim." That is true. That is a truism. That is the reality out there in communities across Ontario, in big cities and small towns. "Women in general usually make less money than men, own less property and have fewer resources to tide them over the experience of being an innocent accident victim."

As I say, these are all reasons, important reasons, why a full debate on this bill is essential and why this motion to allocate time, this guillotine motion—I told members about Fowler's Modern English usage. I looked it up over the weekend: published by Oxford, Fowler's. It was sitting beside my armchair at home down in Welland. I opened up Fowler's to "closure." They talk about "time allocation." They talk about "guillotine." They also talk about "kangaroo." Did you know that one, Mr Speaker, as a euphemism, as a colloquialism that accompanies "time allocation" and "guillotine" and "closure"? Interesting. I just wanted to throw that in for the interest of all these people listening here.

Again, we talked about English language and its flow, its development, its genesis and its growth, and it is interesting that "guillotine" would be a colloquialism that has acquired usage along with "kangaroo" for "time allocation," which is what the Liberals are trying to do here.

Point 5, by Lynn Kaye, president of the National Action Committee on the Status of Women: "Women in general must stay home to care for children disabled through an accident.' That is true too. Who would dare argue to the contrary what is being said in the letter from Ms Kaye to the Premier of Ontario."

When one reads this, there is little wonder that the Premier did not disclose this to his fellow Liberals, little wonder that he has concealed it from the other members of his caucus. I am pleased to be able to let them know what this letter says right here and

I know there are going to be a few Liberal caucus members who will be darned angry with their leader for concealing this information from them, darned angry. That is a matter between them and their leader to deal with. I know what I would do, but far be it from me to try to tell them how to deal with a leader who wants to conduct an agenda with clandestine, surreptitious conduct.

"6. The home lives of victims and their families can deteriorate as a result of the strains placed on family, finances and by stresses which occur when one is in pain regularly and loss of patience resulting therefrom. This legislation"—this is very important. "This legislation may result in increased incidence of abuse within the home."

Let's get some yucks out of this one, okay? Let's get some yucks out of this one from some of these honourable members. The National Action Committee on the Status of Women says this about Bill 68, "The sad reality of it is that the increased strains and pressure generated by the discriminatory, unfair procedure wherein innocent victims are not compensated"—they are not compensated so that the insurance companies can prosper and double the profits they made last year. The net effect of that may be "increased incidence of abuse within the home." The incidence of abuse within the home may logically be increased as a result of this type of legislation.

It is sad that I have to deliver that message from the National Action Committee on the Status of Women to these Liberal members, when the letter was addressed to the Premier. It is sad and it is worthy of reflection, and it makes us all, on the opposition benches, somewhat sorrowful.

#### 1610

I want to tell members about this. This is a flash. At it regular meeting of 27 March 1990, this is what the York Region Roman Catholic Separate School Board had to say about Bill 68: "Recommendation approved by the board at the regular meeting of 27 March 1990: That the York Region Roman Catholic Separate School Board opposes the provincial government's Ontario motorist protection plan and urges the government of Ontario to consider alternative methods of reform to the system governing compensation to victims of accidents and automobile insurance; and that a copy of this resolution be circulated to all school boards in Ontario, to the local members of provincial Parliament and to the Office of the Premier in Ontario."

That raises an interesting consideration, because they call upon the government to consider alternative methods of reform. That is why we need full and open debate on this motion, so that we can contrast the pathetic injustice of Bill 68 with the options that are available to the government of Ontario. There has been a lot of hooting and hollering from the Liberals during this discussion of the closure motion, about some real options.

All it would take would be a little bit of courage and the political will and we indeed could have a made-in-Ontario motor vehicle insurance system right here in Ontario. All it would take would be for the Minister of Financial Institutions to cut his umbilical cord to the auto insurance industry, the one which seems to provide him with more than a little bit of nourishment, and he could start looking at a real alternative like the York Region Roman Catholic Separate School Board calls

for. It asked the government to consider alternative methods of reform.

Members know that we in the New Democratic Party oftentimes use the Insurance Corp of British Columbia as a model, as an example of how a public, driver-owned, non-profit insurance system can serve drivers, can serve victims, rather than the profit-making, profiteering private corporate auto insurance industry in Ontario. What we have in terms of the ICBC, a public, non-profit, driver-owned auto insurance system, is one that has been functioning for almost two decades now; Manitoba for a little longer. The province of Saskatchewan has had a public, driver-owned, non-profit system since 1946. Successive governments in Saskatchewan, not being Co-operative Commonwealth Federation or NDP, no two ways about it, have not dared tinker with it, have they?

When the minister sits in the House, the caucus he sits with has a far better understanding of that than I would, because the Conservative parties in Manitoba and in Saskatchewan run public, driver-owned, non-profit automobile insurance systems that provide insurance fairly and affordably, far more cheaply than in Ontario, programs which flourish.

In Saskatchewan—and I am going to talk about BC in just a minute—there have even been instances where everybody's premiums have dropped in a subsequent year because, the system being non-profit, benefits accrue to the drivers in subsequent years when an earlier year has been more successful than anticipated.

Let me tell members about British Columbia. I am going to concede that Saskatchewan might be a difficult example to compare or contrast with Ontario, because it is quite true that Saskatchewan simply does not have the large dense urban areas that Ontario or British Columbia does. That is why I think British Columbia—and I really believe this—is a more adequate comparison than Saskatchewan, and I am prepared to live with that. For instance, you can compare Vancouver with Scarborough, can you not, in terms of the type of population you are dealing with, the density and the roadways? Of course you can.

This is the debate that has to be carried on during third reading. I highlight these areas now for the members so that they understand why I am urging opposition to this closure motion.

The New Democrats in British Columbia, Dave Barrett and his government, campaigned on public auto insurance, got elected, fulfilled their campaign commitment and now—my goodness, I used to think that Social Credit, Vander Zalm, out in British Columbia was the most right wing government. But now I realize, after seeing some of the stunts that the Liberals have pulled here in Ontario, that British Columbia comes second—mind you, a close second—to the reactionary and regressive tax policies of the Liberals in Ontario.

The second most right-wing government in Canada, the Social Credit, Vander Zalm, runs a public, driver-owned, non-profit auto insurance system; one which Social Credit, when it was in opposition and when the New Democrats formed the government, fought tooth and nail. The end of the earth was pending if the New Democrats carried through with their plan to develop a pubic, non-profit, driver-owned auto insurance system. The Social Credit out there, as opposition members, insisted that it would be the end of the world, but of course it was not and of course the system works well, so well that the Socreds would not dare dismantle it.

I am going to tell the House what they can do out there and how they can provide a better service and how we can do the very same in Ontario to the driving public. We can do it in three principal areas: one, in terms of protection; two, in terms of availability, and three, in terms of premiums. Those are the three areas where a public, driver-owned, non-profit system could effect serious changes right here in Ontario. It is in those three areas that it would constitute a real alternative to the gouging by the private, corporate auto insurance companies that exist now.

Before I get to that, let me tell the House exactly what I mean, because we are not dealing here with businesses that have, as I told members before, an inherent sense of charity. Oh, they try to put on a show, and they will put on a show at the right time and when they have to come out and lobby—holy cow, Mr Speaker, when you saw these insurance company folk at the standing committee on general government, by and large, they were the only people—

Mr D. S. Cooke: Where was the minister?

Mr Kormos: If the minister had been at those hearings, we would not have to be discussing this at length because he would have known the facts that we want to put before him during committee of the whole House discussion. He did not have the decency or the courage to show up at those committee hearings. Lord knows his friends from the auto insurance industry were there.

Mr Faubert: So were your buddies from the legal profession.

Mr Kormos: Do you know who else was there, Mr Speaker? Loose Lips over on the Liberal benches mentions that the members of the legal profession were there. I suspect that particular member, to whom I apologize for interrupting—no, that is quite all right, please stay seated. Relax, Mr Speaker, we are doing fine.

What he compels me to do is talk about the people who appeared at that committee and who were opposed to auto insurance. It is good that we have the two sword lengths, I tell you.

1620

Interjections.

The Acting Speaker (Mr Cureatz): Gentlemen, the honourable member for Nipissing. The member for Lake Nipigon is not even in his seat. The honourable House leader for the opposition, and the minister also, you are partly to blame.

Hon Mr Elston: I am to blame for trying to straighten the record.

Mr Pouliot: Totally to blame.

The Acting Speaker: I do not make the rules up around here. I just try to enforce them.

Mr Kormos: I know that the Speaker has to be nonpartisan and I am loath to ever correct the Speaker but, quite right, as was pointed out, the Minister of Financial Institutions is 100 per cent to blame. I mean, if it were not for him and the Premier, and the auto insurance industry being greedy, we would not have to argue about this bad legislation and prevail upon these Liberals to ask that it be dumped.

So I tell you, Mr Speaker, there was an occasion last week when I spoke about those groups that were in support of and opposed to Bill 68 when they appeared at the general government committee on insurance.

Interjection.

**Mr Kormos:** Now, the member for Scarborough-Ellesmere hollered out, and I heard him say, "But the lawyers were there." Of course they were. The lawyers were there condemning the legislation.

You know who else was there? I am going to go through the list I went through last Thursday because, obviously, it has been raised now by virtue of the member for Scarborough-Ellesmere. We had better go through it again because he clearly did not pay attention the first time. I am loath to ever repeat myself. Members know that. But sometimes something is of such significance that if it is not said a second time, it will not be recalled.

So let's look at who was appearing during those brief periods of hearings in front of the general government committee to tell the government and the government members, "Drop the legislation, discard it." Lawyers were there. Of course they were. These are their front-line people. Mr Speaker, you know, as a member of that profession and an outstanding member of the bar, that lawyers protect people's rights. You know that lawyers are the front line of defence against abuse of people's rights. Lawyers were out there because, you see, the lawyers that appeared in front of this committee were the lawyers that see the broken bodies in their offices every day. There were the lawyers who see the cruelty and the parsimony of the auto insurance industry on a daily basis. The lawyers are the ones who have to go into courts and fight the insurance companies so that the insurance companies have to pay out to innocent injured victims what is rightly belonging to those innocent injured victims.

So the lawyers were there. Who else was there telling the government that Bill 68 should be junked, that it should be dumped, that it is cruel, cruel legislation that is only going to result—what were they saying? You know what they were saying. It is only going to result in higher premiums, premiums up to 50 per cent higher than what people are paying right now.

Lord knows that they are high enough now. The government has done absolutely nothing to effect control over climbing, rising premium rates. They froze them and then they went up, first, by an aggregate of 9.2 per cent and then another 7.6 per cent. That is some 18 or 19 per cent during a period of freeze. And you know what? The freeze was not regarded at all by the insurance industry because, through the process of premium shuffles—flips—insurance companies like Scottish and York and Victoria—the minister knows about Scottish and York and Victoria. These are the ones about which the minister could do diddly-squat when they were hammering the life out of insurers. These are the ones about which the minister was prepared to do diddly-squat.

This government talks about consumer protection. They talk about legislation that is going to be run by and run for the auto insurance industry to the benefit of the auto insurance industry.

I want to tell the members about the people who are opposed to Bill 68, and the minister should listen. If the minister had been there, I would not have to tell him so today. The member for Scarborough-Ellesmere, who raised the issue, should listen very carefully so that I do not have to cite this a third time.

The insurance companies were there, and their executives, in the nice suits, fancy shoes, the Guccis and the Ballys and the—what do you call those?—Rolex watches. They were there supporting this legislation. Sure, they were there. If the minister had been there he would have seen them showing up, not in the numbers that even the minister would have wanted. One fellow

showed up three times under four different labels in three different communities and then finally showed up a fourth time—Terry Taylor. I said, "My God." He said: "Don't worry. The fourth time and that is it."

This is the difficulty the government had procuring support for this legislation. Taylor had to come to four different cities under four different banners to try to bolster the pro ranks because, by and large, and as I have told you, the only people in Ontario who supported this legislation were the auto insurance industry and its colleagues, its cohorts and its flunkies, mere flunkies.

Who was against it? The Advocacy Resource Centre for the Handicapped condemned Bill 68 and tried to tell the Liberal members sitting on that committee how pathetically indefensible their position was. Its submission was called The Disability Giveaway: How the Ontario Government Subsidized the Insurance Industry by Cutting Compensation for Disabled People. And the Liberals are proud of that? That is shameful.

Interjections.

The Acting Speaker: The honourable House leader of the official opposition and the minister, I am trying my best to listen to the remarks by the honourable member for Welland-Thorold. Sometimes your conversation is overpowering his remarks. Please.

Mr Kormos: Thank you, Mr Speaker, I appreciate your wonderful-

Mr D. S. Cooke: Will you start over? I have been talking too much.

Mr Kormos: I am sorry. I will start again. We are talking about the people who appeared in this committee trying to tell the Liberal members on that committee to dump the legislation. The Advocacy Resource Centre for the Handicapped, ARCH—again, no axe to grind, no lawyers. These are people who look out for disabled people. The Advocacy Resource Centre for the Handicapped said this, "The Disability Giveaway: How the Ontario Government Subsidized the Insurance Industry by Cutting Compensation for Disabled People." Some of the Liberals had the decency to lower their heads in shame. Some of the Liberals on that committee had the decency to at least lower their heads in shame while ARCH was making its submissions.

The bulk of them were so arrogant as to actually feel pride in the fact that they had good friends in the auto insurance industry and that they had received big donations from the auto insurance industry in the last general election. Do the members know what they were doing? They were calculating what they were going to get from the auto insurance industry in the next general election as long as they followed the marching orders. That is shameful.

Mr Faubert: Come on now.

**Hon Mr Elston:** That is false and you know it. **Mr Callahan:** Why don't you say that outside?

Mr Kormos: I saw the pads of paper and the calculations and the references to the various statutes that talk about the maximum you can receive. Let's face it: Notwithstanding that the inquiry is over, Patti Starr, for all intents and purposes, is out of commission. Her chequebook has been shelved. We know how a retired gunfighter hangs up his guns and a retired boxer hangs up his gloves. Let's hope that Patti Starr has hung up her chequebook before more charitable funds get diverted into the coffers of a political organization. Patti, wherever you

are, please shelve the chequebook. I should not have said that because it may sound like an invitation to deal in cash. At least the cheques can be traced. If it is going to be done, it is preferable that it be done with cheques.

#### 1630

Let's get back to this motion for time allocation. I am telling you right now, Mr Speaker, I read these out yesterday and it is only because of the member for Scarborough-Ellesmere that I feel compelled to read them again. If I am doing wrong, just nod or go like that and say, "You're doing wrong," and I will stop. Okay I will go ahead. Thank you, Mr Speaker.

The Advocacy Resource Centre for the Handicapped said no to Bill 68. The Advocates' Society said no to Bill 68. Associative Rehabilitation Inc said no to Bill 68. They said: "We believe the legislation as drafted represents one step forward and two steps back. The threshold must be changed to include psychological and mental injury."

The threshold is the heart of this legislation. The minister can make like he is being responsive in that fraudulent sort of way, with that fraudulent style, can make like he is being responsive and tinker, as we predicted he would, with some of the regulated benefits, the no-faults, but he will not touch the threshold because it is the threshold which creates the big profits for the auto insurance industry. The big bucks are in the threshold. That is why the threshold is there. That is what is unique about this legislation, that it is threshold legislation, not no-fault legislation. My God, there is lots of fault that can be found with this bill, and we know it.

Better (Auto) Accident Treatment For Injured Victims in Ontario, BATFIV: Steve Crouse, from Kitchener, a victim of a motor vehicle accident and a victim of the insurance industry. If you want to hear about how inadequate the insurance industry's response is to no-fault benefits, you talk to people like Steve Crouse. He will tell you about getting jerked around and jerked around in an effort on the part of the auto insurance industry to basically starve him out, not in a law suit, but in terms of his no-faults, by his own insurance company.

Let me tell the members this: This is why we need full debate. The Minister of Financial Institutions and the member for Guelph—the parliamentary assistant, the Liberal, the one whom the minister sent out into the front during our discussion of the bill—have had this to say: "Look, under the no-fault portion a victim will be getting the no-fault benefits"—again, if they pass the threshold—"from their own insurer. So if an insurance company doesn't treat you good, you're going to go shop for somebody else."

That is poppycock, that is horse feathers, that is baloney, that is balderdash. It is downright dumb and nobody in Ontario really believes that, because insurance companies are jerking around their own customers now by not paying the no-faults. Nothing has really changed. They do not regard their customers, their drivers, as such a valuable commodity that they would even begin to think of being fair with them when it comes to paying no-faults; not currently and not in the future if Bill 68 is passed.

Indeed, if anything Bill 68 is going to increase the amount of litigation that is going to be necessary between an insured and his own insurance company. That was the experience in Michigan. They had introduced threshold. That is what Mr Justice Osborne told this government. If only they had listened to the Osborne report, the recommendations in Osborne about threshold insurance.

If you want to talk to somebody about how insurance companies abuse the recipients of no-faults, you do not have to go any further than talking to Steve Crouse from Kitchener and the hundreds of people, if not more, who are represented by BAT-FIV, Better (Auto) Accident Treatment For Injured Victims in Ontario. As I say, they were in front of the standing committee on general government saying no to Bill 68. It is not good, it is not acceptable legislation.

C. R. Eddie Engineering Inc appeared in front of the general government committee to condemn this insurance company legislation. They spoke strongly against it. They said, "Absolving individuals from personal responsibility sends the message that traffic accidents are not preventable, they just happen."

The Canadian Auto Workers—

Hon Mr Elston: The people who support you.

Mr Kormos: The Minister of Financial Institutions interjects with a note of envy. Let's face it, if you are going to have supporters, the minister knows I would far rather have the Canadian Auto Workers support me than the auto insurance industry. If I am advancing the interests of auto workers, I am advancing the interests of good, hardworking people in this country, men and women who work in our factories and who deserve far better than this government—the Liberals—is giving them. I am a lot prouder about advancing the interests of working people in this province than these Liberals can be about advancing the interests of the auto insurance industry.

So I have no hesitation in telling anybody who wants to know—I will tell them even if they do not want to know—that I and my colleagues are financially supported by virtue of donations from trade unions and trade unionists. I appreciate their support and I am going to continue to fight hard, along with my colleagues in the New Democratic Party, other members of the official opposition, for the interests of working people, small business people, the middle class, seniors, young people and students, all those people whom the Liberals in this province have deserted, the very same sort of people whom the Liberals have thrown to the wolves, because those are among the classes of people who are going to be most hurt by this legislation.

Yes, we will continue to speak out for those people, and if they see fit to support us with financial donations come election time, we will continue to accept their donations. We talked about this last week, and we may have to talk about it again next week, but the auto insurance industry does not even think of sending us money. They know we are not going to be their little flunkies, their little lackeys, their little handmaidens.

The Canadian Auto Workers, Local 222 from Oshawa, came to the general government committee and said, in short, "Bill 68 will punish rather than protect the members of our union." We are talking about thousands and thousands of people that the Canadian Auto Workers, Local 222 Oshawa, speaks for, thousands and thousands of hardworking men and women.

The Canadian Mental Health Association appeared before the general government committee to say no to Bill 68. They talked about the discriminatory quality of the threshold, which precludes any consideration of psychological injuries flowing as a result of being an innocent victim in a motor vehicle accident.

Mr Pouliot: On a point of order, Mr Speaker: One more time—the truth does that from time to time—there seems to be a degree of penetration that is becoming embarrassing. I do not believe that the House is duly constituted in accordance with the standing orders. Therefore, I am asking for a quorum call.

The Acting Speaker: The honourable member for Lake Nipigon has requested a count on quorum.

Miss Nicholas: And the person who moved it has just hidden. There he is. Look at him. He's hiding, the mover is hiding. Stand up and be counted.

Mrs Stoner: If you want the count, you had better be here for it.

Clerk Assistant and Clerk of Journals: A quorum is not present.

The Acting Speaker: A quorum is not present. Call in the members.

Clerk Assistant and Clerk of Journals: A quorum is now present.

The Acting Speaker: It has been brought to my attention that a quorum is present.

**Mr** Callahan: I think it should be pointed out to the audience, Mr Speaker, that the mover came back to make a quorum.

#### 1640

Mr Kormos: The Canadian Mental Health Association appeared in front of the general government committee and tried to tell the Liberals to drop this legislation now. The Canadian Mental Health Association pointed out the highly discriminatory quality of the threshold, an unfair and discriminatory quality. Again, we are talking about the Canadian Mental Health Association. An axe to grind? No. The only thing that distinguishes the Canadian Mental Health Association is that it is not in the back pockets of the insurance industry.

The Canadian Paraplegic Association came before the general government committee. They condemned the legislation: "The proposal is very unfair. The government is proposing to take away the rights of 95 per cent of the people in Ontario and they are not giving adequate benefits in place."

Let's think, once again, about who is that all about. Do they have an axe to grind? The only thing that distinguishes them is that the Canadian Paraplegic Association is not in the back pockets of the private corporate automobile insurance industry in Ontario, is it? They appear and act and represent the interests of their membership and their constituency. And who is that? People and folk in wheelchairs, people whose lower limbs are dead, lifeless, without control, the people who will never walk or swim or run or play soccer with their kids because they were victims.

The Canadian Paraplegic Association, which represents those people, has this to say: "The proposal"—Bill 68, the Liberals' auto insurance scheme—" is very unfair. The government"—the Liberals—"by virtue of Bill 68 is proposing to take away the rights of 95 per cent of the people in Ontario and they're not giving adequate benefits in place." The auto insurance industry was there supporting the legislation.

The fraud, the essential fraud here, the nub of the dishonesty, the nub of the deceit, and the thing that we should spend more than a little bit of time realizing, is why this motion is before the floor. Members should not forget we are talking about the motion for time allocation. Let's understand why this motion has been put forward by the House leader for the Liberals. Because he does not want to talk about the opposition to the legislation, because he does not want to talk about the fact that this is really threshold insurance. It is not no-fault

9 APRIL 1990

insurance; we have had no-fault insurance in this province for over a decade now.

As a matter of fact, the Liberals know that Mel Swart's position and the New Democratic Party's position on no-fault was so popular, so highly supported across the province that if they could capitalize on that by calling this scheme no-fault, they would. That is fraudulent. It was dishonest on the part of the ad agency. It was deceitful because there is nothing no-fault about this. What is new about this scheme is the threshold.

That is what so much of the commentary in front of that committee was about. If the minister had been there, if he had taken time out of his schedule, he would have heard it. Chedoke-McMaster Hospitals' spinal cord and acquired brain injury programs: Again, these people do not have a vested interest. The folk from Chedoke-McMaster, the folk dealing with spinal cord and acquired brain injury programs, do not have an axe to grind. Their job is to take care of people who have brain injuries and who have spinal cord damage, the very sorts of people who are innocent injured victims in motor vehicle accidents. Chedoke-McMaster Hospitals' spinal cord and acquired brain injury programs said this, "The threshold is far too severe and restrictive."

If the minister had been there, if he had had the decency to appear in front of that committee, he would have known that Cheshire Homes Foundation said this: "Clearly, the proposed imits on long-term care are inadequate. They do not support community living for people who are physically disabled."

The Driving School Association of Ontario: They were wonderful people. The Driving School Association of Ontario appeared in front of the general government committee. They gave its members some wonderful handbooks that they use as a part of their own driver training program. It is something that I would recommend to every member of this Legislature, every taff person, and anybody who would be listening, especially to hose people who have young people in their homes and those ame young people who are contemplating taking up driving. The Driving Association of Ontario came forward and talked bout the real issue, the importance of putting safe drivers on to he road and keeping the unsafe ones off.

What the Driving School Association of Ontario had to say bout Bill 68 is, in part, this, unfortunately, "Self-employed ersons will not be able to sue for disability, business losses, ain and suffering if they are an innocent party in an accident." hat is what the Driving School Association of Ontario had to ay. The Minister of Financial Institutions just was not there.

The member for Guelph, the parliamentary assistant, was here, and we did not hear a peep out of the member for Guelph when the driving school association said this about the legislation. We did not hear a peep from the member for Guelph, the ront man for the Minister of Financial Institutions. The miniter is in the bunker avoiding the flak and the poor member for Juelph—I have been cautioned not to call him Rick Ferraro, nd I think that is still standing, that I should not refer to him by ame, Rick Ferraro—was there taking all the flak, unable to nswer the questions because even the member for Guelph new that so much of this legislation, especially the threshold, inexcusable and indefensible.

The Electrical Workers' Compensation Council of Ontario vas there. This is what they had to say: "Bill 68 severely estricts the right of injured accident victims to be fully comensated for their loss of income. Bill 68 will increase the costs of employers and taxpayers of providing workers' compensation benefits." That is what the Electrical Workers' Compensation Council of Ontario had to say. They, of course, along with

the hundreds and hundreds of others, were opposed to the legislation, and they tried to tell the Liberal members on the committee why those same Liberal members should support full debate, full discussion, and ultimately should condemn this bad bill. The Employers' Council on Workers' Compensation was there in front of the general government committee.

Let's remember one thing: the Liberals hijacked and shanghaied this committee from the very onset. Because they had a majority, they were able to get away with it. What they did was make sure that no single presentation could last longer than 30 minutes, and they kept on guiding and directing every single person who appeared in front of us to not spend more than 15 minutes. Can you believe it, Mr Speaker? Can you believe how embarrassed some of us were when Ralph Nader was told, "You have 15 minutes and that is it, you're cut off." Can you believe Mr Justice Barr, a retired judge of the Supreme Court, being told that he had a mere 15 minutes? That is bad, bad form. That was shameful, disgusting, abominable and, quite frankly, repugnant.

#### 1650

The Heritage of Children of Canada had their representative in front of the general government committee. They said, "We find the threshold draconian and against all principles of democratic and natural justice." The Heritage of Children of Canada appeared in front of that general government committee to oppose Bill 68 and to say, among other things, that it found the threshold—and look what we are talking about again; we are talking about the threshold, not no-fault, because this is not no-fault insurance. It is as simple as that. They said the threshold is draconian and against all principles of democratic and natural justice.

The International Brotherhood of Electrical Workers appeared in front of the committee. The minister could have heard their comments, had he had the decency to be there, had he had the interest to be there. The International Brotherhood of Electrical Workers—oh, I am sorry; that is right. Why should the minister listen to them? These are workers. These are people who work with their hands and work hard and build things and make our cities and our province grow.

The International Brotherhood of Electrical Workers was there. They had this to say during their condemnation of Bill 68, on behalf of all of their membership, "The elimination of compensation for pain and suffering and loss of enjoyment of life for 90 to 95 per cent of innocent motor vehicle accident victims is totally unacceptable."

Let me interrupt just for a moment and let members know that indeed I made reference to this list of opponents the last time we spoke about this, last Thursday. What happened this afternoon was that the member for Scarborough-Ellesmere could not remember which groups had opposed the legislation. I asked the Speaker's chair. I said: "Mr Speaker, I feel compelled to go through that list again. Is it okay?" The Speaker indicated that it was okay. I appreciate that some might criticize this as being repetitious, which is why I checked it out with the Speaker before I commenced, just to be perfectly fair to all of the participants in this scenario. That is why I wanted to explain that to members.

Again, I have never had as difficult a time as I have had during the discussion of this debate. I have never had as difficult a time addressing narrow issues. The reason why is that we are talking about broad affairs; we are talking about broad matters; we are talking about things which are going to impact on the lives of every single resident of the province of Ontario.

That is why these groups and organizations, these trade union movements, these organizations of injured people, appeared in front of that general government committee, and that is why they told the government no to Bill 68. That is why they told it to abandon Bill 68, to drop Bill 68, because it is bad legislation.

These good people whose names I am referring members to now have read the legislation. They have worked with the people who are innocent injured victims. They know the type of impact those injuries have on those people's lives. Who better to tell us how bad this legislation is?

I was telling members that the International Brotherhood of Electrical Workers had appeared in front of that committee to say no to Bill 68. The International Union of Operating Engineers said no. The Ontario Provincial Council of Labour said no. Young people, students—because we have talked about how they are being discriminated against in the saddest way by this legislation—the Lakehead University Student Union came before the committee and said that it was concerned because of the unfair consequences this legislation will have on post-secondary students, particularly in northwestern Ontario.

The trade unions were there opposing it, and the trade unions have, by and large, been supportive of my colleagues in the New Democratic Party and, I say with great pleasure, myself—

Interjections.

The Deputy Speaker: Order, please. There are many private conversations. The standing orders call for only one member at a time and the only member who has the floor is the member for Welland-Thorold, period.

Mr Polsinelli: Point of order.

The Deputy Speaker: Which standing order, please?

Mr Polsinelli: Standing order 23(b), Mr Speaker. Since you are calling the House to order, I would ask that you enforce standing order 23(b) in reference to the member's speech. Standing order 23(b) indicates that the member should direct his speech to matters under discussion. Clearly, for the past 30 minutes that I have been listening to the member in his debate, he has been talking about everything other than order 42, which is the order of the day, so in calling the rest of the members of the House to order, I would ask also that you ask the member for Welland-Thorold to respect the standing orders.

The Deputy Speaker: The member for Welland-Thorold will make sure his remarks are on the resolution.

Mr Kormos: Thank you, Mr Speaker.

That is exactly what we are doing here. We have got to illustrate for the members of this Legislature the broad concern there is out there across Ontario about Bill 68, and that is why a time allocation motion is so thoroughly inappropriate.

I know the member who just raised the point of order, the parliamentary assistant to the Attorney General, has not been here for a whole lot of the discussion, and he has conceded he has been here for 30 minutes; so be it. What he has managed to pick up in those 30 minutes is an impression of how widespread and how broad the opposition is to Bill 68, to this auto insurance scheme. What he should also understand is that I appeal to the government members at two levels.

First, I will be calling upon the House leader to withdraw his motion upon the completion of my argument. I am hoping that my argument will be sufficiently persuasive to compel him, if not in any other way, morally. I am hoping that my argument will compel the House leader to draw on some moral resources of his own and withdraw the motion, in which case there is no more conversation, there is no more debate. The parliamentary assistant for the Attorney General will know that is one option He will know that if you were to go out and drag the House leader for the Liberals in here by the ear, sit him down at his seat and ask that House leader to stand up on a point of order so that the House leader can withdraw the motion, why, I would sit down and we would have to stop talking about closure. There would no longer be any need to talk about closure. That is number one.

Number two, barring that, if there are not sufficient moral resources for the House leader to call upon to compel him to withdraw this bad motion, then I leave this to the parliamentary assistant for the Attorney General. It remains then for the Liberal members to vote against the motion because it is bad because what it does is restrict debate. It denies some fundamentals of democratic principles. It denies some fundamental principles of Canadian parliamentary law, which is why I react from Beauchesne and Erskine May. This is an extraordinary—

Interjections.

**The Deputy Speaker:** Order, please. Only the member fo Welland-Thorold has the floor.

Mr Kormos: Thank you. Mr Speaker.

We know that the International Brotherhood of Electrica Workers, on behalf of all of its members in Ontario, condemn Bill 68. We know that the International Union of Operating Engineers, the Ontario Provincial Council of Labour, and as was trying to tell the parliamentary assistant for the Attorne; General—again, I know I cannot refer to Mr Polsinelli by name so I just refer to him as the parliamentary assistant for the Attorney General—students recognize how discriminatory Bil 68 is. The Lakehead University Student Union came forward to the committee to call upon the Liberal members to please op pose Bill 68, that it is bad legislation. It is going to hurt students, along with a whole lot of other people, but it is going to hurt students.

The Metropolitan Toronto Police Association came before the committee. The Metropolitan Toronto Police Associationsaid: "This piece of legislation is one of the most ill-conceive in living memory. It will have a horrendous effect upon the fabric of society and will severely compromise and curtail the rights of Ontario citizens."

When the Liberal members of this government reflect upo what has happened over the last few weeks, and if they have gotheir minds set on supporting this legislation—why? Perhap because they were told to by their House leader; perhaps because they were told to by the Premier; perhaps because the were told to by the Minister of Financial Institutions; or perhaps because they were told to by the insurance company the donated the last time to their campaign fund. It is a possibility, can understand how those things happen. That is why it is indeed that type of relationship that we wanted to see investigated by virtue of a public inquiry that the Attorney General and the Premier have been stonewalling. I understand that those thing happen. I understand that corruption can interfere from externisources about our conduct as members.

#### 1700

So, as I say, if they feel at first glance compelled to support this legislation, for whatever reason—because the Premier to them to, because the minister told them to, because an autinsurance executive told them to—they should reflect upon what the Metropolitan Toronto Police Association says about

Bill 68, that Bill 68 is one of the most ill-conceived in living memory, that it will have an horrendous effect upon the fabric of society and will severely compromise and curtail the rights of Ontario citizens.

Do members want to know something? The Metropolitan Toronto Police Association is right. They are dead on. They are right about that one.

Ralph Nader: I know that back on 8 January, the Minister of Financial Institutions, in an anticipatory spiel, anticipatory because Ralph Nader had not appeared in front of the committee yet, he was not to appear until one week later, 15 January, but the Minister of Financial Institutions—last time, when I said he crapped all over Ralph Nader, the Speaker raised an eyebrow, so I changed it to dumped all over Ralph Nader—on 8 January dumped all over Ralph Nader.

When Nader came on 15 January to share with us some of his expertise and experience in fighting big, wealthy, powerful insurance companies, along with big companies like Ford and GM and people like that—

Interjection.

The Deputy Speaker: Order, please.

Mr Kormos: When Ralph Nader came here to speak to the committee, the same Minister of Financial Institutions who had dumped all over him was nowhere to be seen.

Why would the Minister of Financial Institutions not want to be there to hear what Nader had to say? Why would he not want to be there to share some of the expertise of Nader? Why would he run from yet another critic? Nader had this to say:

"This plan, for at least 90 per cent of the accident injury cases in this province, would eliminate compensation for pain and suffering and even compensation for economic loss if an injury does not make the verbal threshold. In short, Premier Peterson is asking the people of Ontario to buy a pig in a poke."

The Ontario Association of Children's Mental Health Centres opposed Bill 68 also.

The insurance industry supports it. Of course the insurance industry supports it. This is one real big payday for the insurance companies, is it not? It was intended from the very beginning to be that payday, because that is what the secret studies of the Liberal government disclosed, that the Liberal government knew throughout the bulk of 1989 what a big bayday Bill 68 was going to make for the insurance industry.

Those studies were conducted to the tune of some \$250,000 of taxpayers' money, spent secretly, spent surreptitiously, in a clandestine study, and those figures were only released after nuch pressure was applied to the government, after freedomof-information applications were made compelling the government to finally release those 30-plus studies.

When, Mr Speaker? This was great, this was really big. This was really impressive. On 6 February, when the short public hearings were virtually at an end, when none of the experts appearing before that committee could be asked to comment on those very same studies, those secret, clandestine studies being conducted by the government, with a secret agenda which told the government that the savings, by eliminating compensation, the savings in that respect alone, by denying innocent injured victims their compensation for pain and suffering and for loss of enjoyment of life, the government knew that those were going to equal some \$823 million, almost \$1 billion in reduced compensation alone, a billion bucks obtained by denying innocent injured victims any compensation for pain and suffering or loss of enjoyment of life.

The government knew that. They knew that as a result of the secret studies. They had their own agenda; the agenda was set. The sole, singular purpose of Bill 68 was to generate a payday for the auto insurance industry. That is the sum total of it.

Let's take a look at what the Ontario Association of Children's Mental Health Centres had to say to the standing committee on general government about Bill 68, this Liberal government's auto insurance scheme, a threshold system that Osborne recommended against and Kruger of the Ontario Automobile Insurance Board recommended against. Shameful, shameful and sad, sad for the whole province of Ontario; it was a sad, sad day. The Ontario Association of Children's Mental Health Centres had this to say about Bill 68: "The overall scheme discriminates against persons with a mental disability. The scheme also discriminates specifically against children under 16."

"The scheme also discriminates specifically against children under 16." Let me tell the members how that happens, please. I know that some members have heard this before, but perhaps it warrants telling again. Let me tell members what happens to a 15-year-old kid or a 14-year-old, a 13-year-old or a 12-year-old kid, a kid under 16. Exactly what the Ontario Association of Children's Mental Health Centres says is that among other bad things, this legislation discriminates against kids, little people, youngsters. Let me tell members how they can say that and how dead on, how right they are, how 100 per cent correct they are in saying that.

Let me run this scenario past the members. Again it is one I have reflected on and I have asked myself, am I overdoing it? Am I being, once again, hyperbolic? I say no, because these scenarios unfold every day of every week of every month of every year in this province. They unfold for a number of reasons. They unfold because sometimes I am convinced that our war against drug abuse and alcohol abuse is not quite a war. Perhaps it is just barely a skirmish; perhaps we are not doing enough about it or as much as we really could.

They occur because it is not just the insurance industry that has the Liberals in its back pocket. The liquor and beer industries in Ontario have back pockets too that are full of Liberals. We should not forget that it was the Liberals who mere days ago expanded the guidelines for advertising for liquor and beer. We know why liquor and beer manufacturers want broader guidelines for advertising. It is so they can advertise more, more often and in a greater variety of ways. Their reason for advertising is to induce more people to drink more, more often and when they are younger.

War against drugs? Perhaps. The question is, what side is the government on? What side is this government on when it would permit alcohol pedlars to produce more advertising to induce more people to drink and at a younger age? As I say, the sad realities, the scenario I am about to speak of unfolds daily, weekly and monthly.

Let's talk about a 14-year-old or a 15-year-old kid, walking home from school at 3:30 or 4 pm, who does all the right things. He or she obeys all the rules that pedestrians are required to obey and watches out for traffic. Before he or she crosses the road, and indeed when he or she does cross the road, he or she does it at a corner, an intersection, at a crosswalk and waits until the light turns green and even then looks once more for traffic.

We are talking about a little kid on his way home from grade 8, grade 9, grade 10 or perhaps grade 7 or grade 6, who is doing all the right things, who could do nothing more to protect

himself against what is going to happen in a mere five seconds. That same little kid, not a motorist but a pedestrian, is doing all the right things and following all the rules of the road. But the drunk driver has no concern for the fact that that 15-year-old, 14-year-old or 13-year-old kid obeys all the rules of the road, because the drunk driver does not.

Notwithstanding that that 13-year-old, 14-year-old or 15-year-old kid crosses as a pedestrian at the crosswalk when the light is green, the drunk driver, who does not give a tinker's damn about crosswalks, pedestrians or green lights or red lights, the same drunk driver can mow that kid down and smash that kid into the asphalt, leaving a trail of skin and flesh and blood as the body is dragged by that car.

As I say, it is a gruesome and a horrible scenario. It is one that happens far too often in our province. If that kid is fortunate enough—fortunate enough, lucky enough—he will suffer merely a broken back. The severity of that kind of impact, the carelessness of that kind of driver is such that a broken back is not an unreasonable injury to be suffered by that kid under those circumstances.

#### 1710

That 13- or 14- or 15-year-old kid, who just barely survives that type of accident, will be taken to the hospital, at least in some communities. In other communities, hospital facilities may be such that there is no room at the inn. But if that kid is fortunate, he will be taken to emergency facilities and will be tended to by the fine doctors and fine nurses that we have here in the province of Ontario.

A broken back, with the grace of God, with no spinal injury, with no neurological injury, will require traction for three, four, maybe as long as five months. Traction in the hospital: the pins and the needles and the screws and the wires and the pulleys and the contraptions and the pain. It is a pain that no amount of Aspirin or Tylenol or Ibuprofen or Demerol or codeine can ever fully suppress. It is such a pain that as the codeine wears off at two or three in the morning, this same 14- or 13- or 12-year-old kid wakes up in the middle of a dark sleep to experience an agony that he has never dared even think about prior to that in his life.

We are talking about pain that most of us have been blessed to the extent that we have never had to experience it. We are talking about suffering that most of us have never had to endure. We are talking about a young victim completely without fault. What happens in that young victim's life? He misses that school year because he is in traction in the hospital. Even when that child, that kid, that little boy or little girl is released from the hospital, he or she has to recuperate at home for another year, and that means a second school year missed; more pain and more treatment and more medication and more therapy, then finally a return to school, a return to the schoolroom, a return to the schoolground.

Now, that kid's playmates, that kid's classmates from the year that that kid was struck down as an innocent injured victim, have moved on. They are two years beyond that kid now. Indeed, for that year and a half, almost two years of total recuperation time, that little kid, that little guy has not been able to ride his bicycle or play on the soccer team or play ice hockey or go to the school dances on a Friday evening or a Saturday evening. He has not been able to go on vacation with his family when they went to their cottage up north because it was simply too dangerous, too risky. The little girl has not been able to go to her ballet lessons or her ice-skating lessons. She has not been able to socialize with her classmates, with her friends. These

kids have lost more than just two years of their lives. They have suffered two years of lost opportunities.

Mr Polsinelli: On a point of order, Mr Speaker: I would ask that you call the member for Yorkview to order in that he is alleging the member for Welland-Thorold is uttering a deliberate falsehood.

The Deputy Speaker: That is a strange, upside down request, if I have ever heard one. It is not a point of order.

Mr Kormos: I am not bothered by it, Mr Speaker. These clowns have little in their arsenal but that sort of garbage. The problem is that that kind of sleazy interruption is an effort to interrupt a narration that is going to have a little bit of impact on a few people's lives. But that is okay, because that type of crummy interruption does not change the reality of little kids like the one we were just talking about, little kids all over Ontario who can suffer in that very same way.

What are we talking about? We are talking about a 12-yearold kid who has suffered incredible pain and suffering, who has suffered almost uncompensable loss of enjoyment of life, the little girl who, after the traction, looks at her buttocks and sees the scars where the pins were inserted so the wires and the pulleys could pull that back straight again.

She is only 12 or 13, but she rightly thinks, "What are those scars going to look like when I am 17 or 18?" Members know that it is oh, so important to a little girl who is 12 or 13 years old, because she is going to know she is different. She is going to know she is marked, not just emotionally, not just by virtue of having lost two years of her life, not only by virtue of having had two years of lost opportunity. She has been physically tattooed as well, physically marked so that everybody, in her mind—to that young lady those tiny scars where the pins were inserted are enormous and they are scars that everybody can see and that everybody's attention is drawn to the minute she dons a bathing suit or shorts.

What has the Minister of Financial Institutions—I almost said Murray Elston—got for the little kid who is mowed down by the drunk driver? What has this insurance scheme got for that little kid? What does the insurance industry in this province want for that little kid? Compensation for pain and suffering? Not a penny, not a cent in compensation to that 12-, 13-, 14-, 15-year-old kid for pain and suffering, because that injury, the broken back, just does not cross the threshold.

The threshold was designed—it was designed; it was not an accident—to exclude injuries of that severity. That is how the insurance industry is making itself an extra \$823-million profit in the first year alone of this legislation. It is doing it by stealing money from little kids who are mowed down by drunk drivers, money that is rightly theirs by virtue of compensation for pain and suffering.

Loss of enjoyment of life? Not a penny, not a cent of compensation. We are talking about an innocent victim here. We are talking about somebody who did not contribute in any way, shape or form to her injury. We are talking about somebody who obeyed all the rules of the road and was the victim of the drunk.

The lost opportunity, the two years' delayed entry into the workforce, surely that is compensable because it is so readily measurable. That youngster is two years behind his or her peers who have had two years of work by the time that kid even gets out of high school—university or college or however far it is that kid is going to go in school—and will never be able to recapture those two years or the lost income. Surely that child can be compensated and ought to be compensated for that two

9 APRIL 1990

years' delayed entry into the workforce, even in the most modest, the most conservative terms of lost income of perhaps \$25,000 a year.

But again, does the Minister of Financial Institutions, does the Premier's insurance scheme, compensate that child for that delayed entry into the workforce, for the two years' lost wages? No, there is not a penny for that kid for compensation for pain and suffering, for loss of enjoyment of life or for economic loss by virtue of two years' delayed entry into the workforce. We are not talking about a trivial or modest injury. We are talking about a broken back. The insurance industry knows exactly what this threshold is designed to do to victims across Ontario.

#### 1720

You want to know something, Mr Speaker? The insurance industry does not give a damn. Being what they are, they will take their money any way they can get it. As far as they are concerned, it is cash on the dash; money upfront. That is the nature of the business.

That is why the Ontario Association of Children's Mental Health Centres says that this scheme, Bill 68, specifically discriminates against children under 16. Bill 68 creates victims out of victims. What Bill 68 does, what the Liberal's auto insurance scheme does—it is not theirs alone. They should not get credit for all of it, because after all the insurance industry told them what to write. It was a co-operative effort, a joint effort. It is about as sleazy a bit of legislation as we have had a chance to look at in a long time.

We were talking about the individuals and the groups and the organizations that oppose Bill 68 and have said so at the committee hearings. I want to speed up because there are some other things I want to talk to today, which I have scheduled for today. I do not want them to interfere with tomorrow's lineup.

The Ontario Federation of Labour, again representing hardworking men and women across Ontario, says: "Bill 68 is seriously flawed. In its current version, the bill will have significant and detrimental implications for the average working men and women who are our members." Here is a bill that discriminates against youngsters. It is a bill that discriminates against hardworking people.

Listen to what the Ontario Coalition of Senior Citizens' Organizations says. This is an organization that represents seniors: grandmothers, grandfathers, retired people who have worked hard all their lives, who have tried to save money, who live on modest pensions, people to whom we owe an unpayable debt because they have made our society a better one than what it was when they grew up as children. The Ontario Coalition of Senior Citizens' Organizations says this, "In our view, Bill 68 should be scrapped"—as succinct and as precise as one could ever be. That is what senior citizens say about Bill 68, that it should be scrapped because it is going to hurt senior citizens.

That is why we oppose this motion for closure. That is why we insist on full, thorough debate both in committee of the whole and during third reading, because the interests and concerns of people like senior citizens—perhaps it is wrong for me to even argue this. I know just too many of the seniors down in Welland-Thorold and I have too much regard for them, and sometimes I feel that perhaps, because of my respect and affection for the seniors in my riding, I get too emotionally involved when I argue about this insurance legislation.

Perhaps somebody who was more detached would not be so inclined on occasion, as I have, to become angry about what I hear from the insurance industry. The senior citizens of Ontario, the senior citizens of Welland-Thorold, have worked too hard

for too long to be treated the way the Liberals are treating them in Bill 68 with this insurance scheme.

The Ontario Coalition of Senior Citizens' Organizations, representing seniors across Ontario, says, "In our view, Bill 68 should be scrapped"—not amended, not tinkered with, but scrapped, dumped, placed on the trash heap where it belongs.

The Ontario Head Injury Association, another organization that looks out for victims, came with no axe to grind. No profit motive here; there is no money to be made in head injuries. You meet these people and you understand that their motive is a genuine passion and concern for the welfare of others who may find themselves in that same tragic plight.

The Ontario Head Injury Association says this: "If the whole issue of liability and subsequent right to compensation is to retain any integrity, the threshold has to provide reasonable access to litigation," and it does not. The threshold is designed to keep people out of a compensatory scheme. That is what it is all about. That is how it generates these new, incredible profits for the auto insurance industry. That is why the threshold is so crucial.

We were up in Sudbury and the Minister of Financial Institutions announced through his parliamentary assistant that regardless of what happened, regardless of who said what to the committee, the threshold was going to remain intact, because they knew that that was the essential part of the legislation. That is what the member for Guelph told the committee and the public up in Sudbury. The fine member for Sudbury East was up there at the committee hearings with me. She was there and she was aghast, shocked and horrified.

It is just incredible to think that the government would prejudge the issue, until we find out about the secret agenda all along. The government never had any intention of letting these committee hearings change its mind one way or the other. It was a show trial, a sham, and people across Ontario know it full well. Let me tell the Minister of Financial Institutions that they know full well what a sham those hearings were. That is why we need full, thorough debate right here in the Legislature. That is why the Liberals will run from debate, and if they cannot run fast enough or far enough they will muzzle the opposition.

The Ontario Pipe Trades Council opposes Bill 68.

The Ontario Provincial Council of Labour once again succinctly, very precisely, says this, simply put, "The proposed Ontario motorist protection plan is totally unfair to the workers of our province." The insurance scheme of the Liberals and the auto insurance industry is totally unfair to the workers of this province.

The Ontario Psychological Association—my problem is that I hear these Liberals yapping off about the lawyers who oppose it. I have named group after group. I could see the lawyers were there, but we are not talking lawyers here. We are talking about the Ontario Provincial Council of Labour, the Ontario Psychological Association, the Ontario Head Injury Association, the Ontario Federation of Labour, the Ontario Coalition of Senior Citizens' Organizations, the Ontario Association of Children's Mental Health Centres, the Metropolitan Toronto Police Association, the Lakehead University Student Union, the Labourers' Provincial District Council of Ontario, the International Brotherhood of Electrical Workers and the Employers' Council on Workers' Compensation. The lawyers in Ontario oppose Bill 68; so do these hundreds of thousands of other people.

The Ontario Psychological Association said this, "We view the current bill as fundamentally flawed." The Ontario Secondary School Teachers' Federation, representing thousands and thousands of fine, skilled men and women across Ontario who work hard educating our young people, said, "The legislation should include the right to sue for psychological pain and suffering," because it does not. It denies persons suffering psychological pain and suffering from ever having a chance to pass that threshold, because the threshold specifically excludes those people. That means they can never be compensated for pain and suffering or loss of enjoyment of life.

#### 1730

The Ontario Society of Occupational Therapists says, "It is our concern that the proposed system in fact sets up serious barriers to the process of rehabilitation itself." The Ontario Teachers' Federation says that Bill 68 is lacking in fairness and that it is punitive. "The Ontario Teachers' Federation calls upon the government to withdraw Bill 68 and send it back for redrafting."

I am going to go back to that list. I have not finished it, and I know that the member for Scarborough-Ellesmere—I know I cannot refer to him by name, which is why I refer to Mr Faubert as the member for Scarborough-Ellesmere—was the one who, notwithstanding that I spent a considerable amount of time yesterday trying to explain—last Thursday, last week it was. Even a numbskull would have recalled what I said last Thursday.

The member for Scarborough-Ellesmere said, "Which ones were it again who opposed it?" I do not mind him doing that, because that means he is paying attention. That means he is assessing the pros and cons. That means that the member for Scarborough-Ellesmere maybe is just about ready to break free from the grip that the insurance industry has on them.

Let me tell members why we need full, complete debate on this, why it is such an important issue as to warrant, surely, far more than a couple of hours in committee and a couple of hours for third reading. I have here a memo from S. O. Mason Brokers Ltd on Division Street in Welland. It is dated 7 March 1990 and it is addressed to Denise Carter, 3 Lisa Court, Welland, Ontario. The subject is Wellington auto policy, Wellington Insurance Co. Catch this, Mr Speaker, and hold on to your chair because this one is going to throw you for a loop, let me tell you.

When Denise Carter phoned me up—she phoned me up at night here in Toronto—I thought for sure she had it mixed up, that she did not quite have it right, because I could not believe what she was telling me. I just could not believe it. Notwithstanding all those things that I called the insurance industry, and I meant them, notwithstanding all those things, I thought, "No, they could not go this far." Catch this:

"Registered.

"Attached is a copy of your son Wade's driving record from the Ministry of Transportation. Due to the four convictions in the past three years, the Wellington Insurance Co is unable to offer you a renewal." This was sent out 7 March. Once again, we are not talking about Mother Teresas here, we are talking about an auto insurance industry that is as greedy as it ever has been. They are "holding you covered until March 22, 1990, and as of that date you will not have coverage with this office.

"Yours truly,

"J. R. Mason."

Incredible. Again, do not shoot the messenger. J. R. Mason is just a broker. They, like so many other brokers, have been concerned about what is happening in the insurance industry in

Ontario as much as anybody, because they are merely the messengers. Now those members are saying, "Wait a minute, so what is the problem here?" They are saying, "Her son's driving record shows four convictions in the past three years and that is why Wellington is dropping him. Oh, and quite right, they attached a record."

Wade, who is going to be 20 years old this year, it would appear, had a speeding, 65 kilometres in a 50, a speeding, 60 in a 50—one is 15 over, one is 10 over—improper use of seatbelts, speeding 60 in a 50, and they are cancelling Denise Carter's insurance. They are saying, "But, you see, Wade is her son." Yes, but Wade does not live in Welland. Wade lives in Ottawa, some 600 kilometres away. What is the rationale when Wade lives 600 kilometres away? Wellington's goal is to participate in that oblique flip, the oblique shuffle. Denise Carter has no more insurance coverage, and members know what happens when you get turned down by an insurance company, when you get told, "We are not going to renew." As often as not, you get tossed into the Facility Association.

Denise Carter does not have a record. Her son Wade has not a really bad, horrendous record but a less-than-admirable record: three minor speedings and a seatbelt. But he lives in Ottawa. Here is a lady, Denise Carter, who probably ended up in Facility Association paying thousands and thousands of dollars a year for insurance because her son, who lives in Ottawa, has a bad driving record.

These are the insurance companies that the Minister of Financial Institutions is applauding for their fine spirit of generosity and their sense of charity. These are the insurance companies about which the Premier of Ontario and the Minister of Financial Institutions are saying, "Do not worry, just trust them." We could not trust them when it came time to setting premiums; how can we ever trust the insurance companies to determine what the benefits ought to be? Yet that is what this legislation is all about, because it denies the vast majority of people in Ontario—95 per cent of all innocent accident victims—the right to use the courts to be compensated. And it does it by design; it does it by purpose. It is not a mere accident. It is very specific in that goal.

That is how we get the \$1-billion payday for the auto insurance industry, by taking away innocent injured accident victims' benefits to the tune of \$823 million in the first year. Add to that the premium increases of as high as 50 per cent. Drivers in Ontario are going to be paying premiums as much as 50 per cent higher if this legislation is passed. That is a promise from the Minister of Financial Institutions. The Liberals are not prepared to keep very many of their promises. That is a promise from the Minister of Financial Institutions. You can bet your boots it is going to be kept.

The Liberals, with this legislation, are subsidizing the auto insurance industry in Ontario to the tune of at least \$141 million in the first year alone with taxpayers' money. That is a business that is already profitable. The insurance industry in Canada—I told members this last week—showed record high profits in 1989, profits that it had not seen in over eight years, profits that are going to constitute over \$1 billion in profits in 1989 alone, and the Liberals here want to throw another \$1 billion into that coffer.

That \$1 billion is going to come from taxpayers, drivers and off the broken, torn bodies of innocent injured accident victims. That is where the money is coming from. The money designed to supplement, in an obscene way, the profits of the auto insurance industry is coming from the broken, torn bodies of the 12-, 13- and 14-year-old kids who are hit by drunk drivers, the

9 APRIL 1990 469

ones I told members about a few minutes ago. Do members want to know something? It is the ultimate obscenity. I told members about the 12- or 13- or 14-year-old kid, totally without blame, an innocent injured victim, a broken back as a result of a drunk driver, who receives not a penny in compensation for pain and suffering, not a penny in compensation for loss of enjoyment of life, not a penny in compensation for the delayed entry into the workforce. Do members remember I told them about that?

I did not tell them—and this is the topper, this one will end this story and leave all of us with the most repugnant sensation—if that same drunk driver who smashes that kid to the pavement happens to, let's say, jump the curb and hit a telephone pole after smashing that kid's spine and dragging that kid's body along the pavement and through the rubble and through the gravel so that the flesh is torn and the blood is staining the asphalt, if that drunk driver hits a telephone pole and bangs his or her head against the windshield and has to lose work for a month or two, that drunk driver is liable to collect up to \$600 a week in income replacement from the insurance company, the same insurance industry that will not pay that kid a penny in compensation for pain and suffering or loss of enjoyment of life or lost opportunity.

#### 1740

Is that a fair system? No, that is a very Liberal system. It is a system that is designed not to be fair. It is not designed to be fair. We know that, oh, so well. And those hundreds and hundreds of people in Ontario who appeared at the committee—and there were more but the Liberals strangled the life out of that committee by virtue of short-circuiting it and making sure it sat in the briefest period of time.

I pleaded with the members of that committee: "Please. Look, the House isn't sitting. Committee members make extra money for every day that they sit with their committee." The committee was only sitting four days a week, Monday through Thursday. It would not sit Monday morning. I knew there were tremendous backlogs of people who wanted to participate in those hearings. I knew that people were being turned away. I knew that the Liberal majority had made sure that those committee hearings were as brief as possible. I said: "Look, will you do this for those good people who want to talk to you about the legislation? Will you please sit Monday mornings? You're being paid for it. Please sit Monday mornings to accommodate some of those people." They would not do it.

I then said to the Liberals on the committee: "Look, you've got lots of good, hardworking men and women who work for livings who want to talk to you about this legislation and what Bill 68 is going to mean to them, their children, their neighbours, their families and their grandchildren, but they work at real jobs. Please sit in the evenings so that we can hear from them. It will do two things. It will enable us to hear more people and it will accommodate those hardworking people who can't afford to lose a day's or half a day's pay to come and appear before the committee."

The Liberal majority on that committee refused to sit in the evening. Do members want to know why? Because they do not give a tinker's damn about working people, because they do not give a tinker's damn about the people who would plead with them to drop that legislation. They have a bunch of clowns—and I have said it before and it warrants saying right now—who are so deep in the back pockets of the insurance industry that they are spitting out lint. Do members know one of the first issues to arise out of the course of committee hearings? It was

the discovery that the members of the general government committee had been specific, personal beneficiaries of insurance company largess.

I mean, people like the member for Hamilton Centre had been the beneficiaries of insurance company contributions at election time. That is remarkable. One would have thought that a person who was in that position would at the very least have declared it so that we would know where she was coming from, and she was not alone. That is fair enough. Here is a committee that is supposed to be sitting, hearing submissions about Bill 68, a bill that is going to make the insurance industry oh, so much more profitable for automobile insurers, and the bottom line, in fairness, would have been for the members of that committee to reveal, to divulge to the rest of the committee and to the public that they had been greased by insurance companies at election time.

They have been greased by the insurance companies at election time. A little bit of grease, a little bit of payola—I am sorry, these are donations. But it is for that very same reason that the Liberals do not want full debate during committee of the whole; it is for that very same reason that they do not want full debate during third reading.

Erskine May and Beauchesne both contain some valuable and valid commentary on closure motions. I want to tell the members what Beauchesne says about time allocation. That is what we are talking about right now.

Mr Ballinger: We heard that two weeks ago.

Mr Kormos: Some dummy said I read that last week. The proof is in the pudding. I read from page 1; I am now reading from page 162. I am reading from Beauchesne and I suppose I should qualify the citation: Beauchesne's Rules and Forms of the House of Commons of Canada, with Annotations, Comments and Precedents, sixth edition, 1989, published by Carswell.

I refer to page 162 and "Time Allocation for Stages of a Bill":

"Time allocation is a device for planning the use of time"—I will repeat that. "Time allocation is a device for planning the use of time during the various stages of consideration of a bill rather than bringing the debate to an immediate conclusion."

That is remarkable, because what we have here by virtue of this time allocation motion is an attempt to stifle the opposition, to muzzle the opposition, to strangle the opposition, to crush the life out of the opposition, if it were at all possible. It is the most repugnant affront to parliamentary procedure and tradition that one could ever think of; it is the most repugnant affront to parliamentary tradition and procedure that one could ever imagine.

This last weekend was a troublesome time for me-

Interjections.

Mr Kormos: It was. I got back to Welland. I should tell the members, I live down on Bald Street in Welland. It is a wonderful neighbourhood of old houses, big maple trees, great neighbours. Joanne and Roger Bouchard are the best neighbours. I have got great neighbours. They look out for me like nobody could ever look out for anybody. I have got great neighbours. Roger and Joanne are very special people, Roger and Joanne Bouchard.

Interjection.

Mr Kormos: They are and I tell you, take care, Mr Speaker, because this has got a point. Roger and Joanne

Bouchard are wonderful people. Joanne walks my dog twice a day, every day. Joanne makes sure the dog is well fed and of course, she cooks up treats for it.

To my shock and dismay, Joanne Bouchard had taken the dog to the vet. It was not that she had taken him to the vet, because indeed she is entitled to do it. I want her to do it. She cares about the dog. She came back to me on Friday with a letter from the vet, Main West Animal Hospital. They are great people and they have been great to Charlie. That is the beagle, Charlie the beagle. They have been great to Charlie, great to me, and they have taken care of him in times of need.

But the letter says, "Dear Mr Kormos," because Charlie cannot read. Charlie is only a beagle. It said, "Charlie the beagle had his urine tested again at our office and it appears that his urinary tract infection has recurred." The problem is that the remedy being suggested by the vet for Charlie is exactly what the Liberals want to do to the opposition. They want to neuter Charlie, they want to turn him into a eunuch.

#### 1750

But at least Charlie can get a second opinion. I tell members that the people of this province are ready for a second opinion on the Liberals. The people of this province want a chance to tell the Liberals what they think about their policies when it comes to regressive taxation, about their policies when it comes to auto insurance, about their policies when it comes to democracy, to parliamentary procedure. The people of Ontario want a chance to tell the Liberals what they think about the Liberal effort to gag the opposition, about the ultimate Liberal panacea: closure, restrict debate, impose the guillotine. That is the Liberal panacea.

Mind you, it is done not in the interest or the welfare of the people of Ontario, the workers of Ontario, the drivers of Ontario, because this legislation that they are talking about now and that they want to pass without debate is going to result in premium increases of as high as 50 per cent for the drivers of Ontario. Taxpayers are going to be dishing out another \$141 million to \$143 million to directly subsidize the auto insurance industry, and innocent injured victims are going to pay to the tune of \$823 million.

Can we tolerate that? The people of Ontario will not tolerate it. The people of Ontario want a second opinion.

I told you earlier, Mr Speaker, that what happened is in response to the member for Scarborough-Ellesmere, who was not able to recall how much opposition there was to Bill 68 at the general government committee hearings. Because he raised that to this Legislature this afternoon, that he was not able to recall the massive numbers of persons and groups making strong points in opposition to Bill 68 at the general government hearings, I had started listing them.

I got sidetracked talking about some of these other things because it is so difficult in such a short period of time. We are talking about such a compressed period of time, so much to be discussed, so much to be dealt with. We are talking about an incredibly extraordinary bit of conduct on the part of the Liberals and one that shows such thorough disdain not just for democracy, not just for the principles of parliamentary procedure, but for the people of Ontario, for the workers of Ontario, for the seniors. The numbers opposing Bill 68 are that is what this debate about closure is all about. It is because of the numbers of people opposing Bill 68, because of that, that it becomes all the more important that this Legislature not permit this motion to be successful.

As I say, my goal in the course of this discussion is to either persuade the House leader for the Liberals to withdraw the motion—that would be the decent thing to do. The effect of withdrawing the motion would mean that we could then get on to Bill 68. But this motion represents such a significant threat to democracy in this province, it poses such a significant threat to democratic procedure and it poses such a significant threat to the role of the opposition, that we cannot let it go unchecked, we cannot let it go by with brief and trivial commentary. It requires and cries out for thorough consideration and thorough argument.

As I say, I am confident that if we are not able to persuade the House leader for the Liberals to withdraw the motion during the course of this debate, at the very least Liberal members will have learned enough about the insincerity of their own government, the insincerity of their own leader, to speak out against this type of draconian—these are jackboot tactics, are they not? That is what the Liberals called it on Parliament Hill this week and last week when the Tories tried to impose closure on them. They said, "These are jackboot tactics." That is what we call it at Queen's Park when the Liberals try to stifle and muzzle opposition here in the provincial Legislature. We call it jackboot tactics.

This is for the benefit of the member for Scarborough-Ellesmere, who asked me to recite these again. You will recall, Mr Speaker, that I asked for your consent and approval prior to doing this because I was indeed repeating myself. I appreciate your consent and approval.

The Ontario Teachers' Federation says no to Bill 68. Members should listen. The Ontario Teachers' Federation says that Bill 68 is regressive, lacking in fairness, punitive. The Ontario Teachers' Federation does not want amendments. They want this bill dumped. They want it thrown out on the trash heap where it belongs, with other garbage. That is what the Ontario Teachers' Federation says.

The Ontario Teachers Insurance Plan opposed Bill 68, too, and it did so at committee. If the minister had been there to hear them, he would know that. As it is, we are obligated to tell him. The reason we are obligated to tell him and the other members of this Legislature is that there is such significant and complete opposition to this bill that giving it short shrift during committee of the whole is to deny justice for all the people of Ontario. The Ontario Teachers Insurance Plan says that Bill 68 does not fly, it will not wash, because serious psychological injury of impairment is denied by virtue of the threshold. You cannot be compensated for it.

I see time is marching on and I know that-

Interjection.

Mr Kormos: Let me finish this, or else we are going to be here too long. If we do not make the most economical use of time, we are going to be here for an ungodly long time, Mi Speaker, and I do not want to interfere with anybody's summer vacation. When does school get out?

The Police Association of Ontario says this: "As a result of these grossly unfair, even punitive loss-of-income provisions found in Bill 68, members will be forced to pay higher in surance premiums for income protection plans through their employees." Again, insurance premiums are going to go up and up with this legislation. Insurance premiums are going to go up higher than they have been for a long, long time, and compensation is going to go down. That is how the auto insurance industry is going to make unheard-of profits by virtue of the Liberals' ramming this legislation through.

9 APRIL 1990

The Provincial Building and Construction Trades Council of Ontario opposed this legislation. The St Catharines and District Labour Council—Mr Speaker, I am not going to be able to finish this particular list this afternoon.

I know members share with me in extending best wishes to Charlie the beagle and I know they share with me and him a hope that the second opinion shows more promise than the first one did, no disrepect to the West Main Animal Hospital. I know members join me in thanking Joanne Bouchard for tending to Charlie's medical needs. We all wish him well.

In view of its being just shy of six of the clock, but two minutes—fine, Mr Speaker, I saw you gesturing. I thought they were polite gestures; I did not realize that they were angry gestures. It looked for the briefest of moments as if we were on Highway 401 with each other, each trying to get off at the same exit and I was not letting you into the exit lane.

That gives me a chance to talk about the St Catharines and District Labour Council. Rob West of the St Catharines and District Labour Council said: "The burden placed on individual workers who may be required to use sick-leave credits or sick pay to offset the already limited responsibility of the insurance company for lost wages incurred by accident victims is unfair.

Bill 68 must be scrapped." That is what the workers in St Catharines and district are telling the Liberals. Again, the Liberals have not been listening, but that is of no great surprise, because these are working people and the Liberals do not listen to working people. They listen to the auto insurance industry because the auto insurance industry pads their pockets come election time.

471

The proof is in the pudding. We are talking about over \$100,000 in the last provincial election, \$100,000 given to the Liberals of Ontario as campaign contributions, over \$100,000 of premium money. Drivers of Ontario wonder where their premiums are being spent? They wonder where their premiums are being spent? They are being spent on grease for Liberal candidates come election time, that is where.

The bottom line is that the Premier, in September 1987, promised a very specific plan to reduce auto insurance premiums. David Peterson, the leader of the Liberal Party, promised that he had a very specific plan to reduce auto insurance premiums. That was not a promise.

On motion by Mr Kormos, the debate was adjourned.

The House adjourned at 1802.

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

#### Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L) Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

**Beer**, Hon Charles, Minister of Community and Social Services (York North L)

**Black, Hon Kenneth H.,** Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

**Bradley, Hon James J.,** Minister of the Environment (St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L) Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L) Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L) Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio (Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills Development (Renfrew North L)

Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L)
Cousens, W. Donald (Markham PC)

Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the Whole House (Durham East PC)

Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L) Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development (Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L) Hampton, Howard (Rainy River NDP) Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L) Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP) Kozyra, Taras B. (Port Arthur L)

**Kwinter, Hon Monte,** Minister of Industry, Trade and Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP) LeBourdais, Linda (Etobicoke West L) Leone, Laureano (Downsview L) Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L) Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)
Martel, Shelley (Sudbury East NDP)
Matrundola, Gino (Willowdale L)
McCague, George R. (Simcoe West PC)
McClelland, Carman (Brampton North L)
McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)
McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L) Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio (Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L) Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L) Owen, Bruce (Simcoe Centre L) Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

'ollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

oole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

ouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

(Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

cott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation

(Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

## **CONTENTS**

# Monday 9 April 1990

Members' statements	Tenant hotlines
Coods and coming to	Mr D. S. Cooke
Goods and services tax	Mr Sweeney
Mr Laughren	Inmates' mental health services
Soil conservation	Mr Cureatz
Mr Villeneuve	Mr Patten
Novel products	Assistance to farmers
Mr Tatham	Mr Tatham
Humber College of Applied Arts and Technology 441	Mr Ramsay
Mr Philip	Child care
Municipal finances	Mr Allen
Mr Sterling	Mr Beer
Wetlands donated	Compensation for victims of crime
Mr Keyes	Mr J. M. Johnson
Child care	Mr Offer
Mr Allen	- · · ·
Drug benefits	Petitions
Mr J. M. Johnson	Massa ta a latteres
Greater Toronto area rapid transit	Moose tag lottery
Mr Faubert	Mr Wildman
Patricia Starr inquiry	French-language services
Mr Eves	
	Automobile insurance
Oral questions	Mr D. S. Cooke
Of all questions	Waste disposal
Patricia Starr inquiry	Mr D. W. Smith
Mr B. Rae	Automobile insurance
	Mr Philip
Mr Peterson	Mr D. S. Cooke
Mr Brandt	Mr Morin-Strom
Mr Scott	Mr Charlton
Constitutional accord	Mr Wildman
Mr Eves	Ms Bryden
Mr Peterson	Miss Martel
Goods and services tax	T72 4 24
Mr Laughren	First reading
Mr Elston	Come and Fish Amandment Act 1000 Dill 127
Lottery profits	Game and Fish Amendment Act, 1990, Bill 137 454 Mr Wildman
Mr McLean	Agreed to
Mr Peterson	Agreed to
Control of smoking	Government motion
Mr Neumann	Government motion
Mrs Caplan	Time allocation, motion 30
St Joseph's Training School for Boys	Mr Kormos
Mr Kormos	Adjourned
Mr Peterson	Other business
Air quality	Visitors
Mrs Marland	Deputy Speaker
Mr Bradley	Krista Morris
Automobile insurance	Mr Wildman
Mr Callahan	Adjournment
Mr Elston	Alphabetical list of members
	Angus vereur list of members
TABLE DES MATIÈRES	
TABLE DES MATIERES	

Le lundi 9 avril 1990

## Pétition



4 90





14 90

# egislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Tuesday 10 April 1990

Speaker Ionourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

# Assemblée législative de l'Ontario

Deuxième session, 34e législature

# Journal des débats (Hansard)

Le mardi 10 avril 1990



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

#### Languages in Hansard

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## **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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#### Table des matières

La table des matières des séances rapportées dans conuméro se trouve à l'arrière de ce fascicule, ainsi qu'un liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Le renseignements qu'il contient sont à votre disposition pa téléphone auprès des employés de l'index du Journal de débats au (416) 965-2159.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday 10 April 1990

The House met at 1330.

Prayers.

#### GREATER TORONTO AREA RAPID TRANSIT

Mr Cousens: On a point of privilege, Mr Speaker: Yesterday during private members' statements the member for Scarborough-Ellesmere took great pleasure in boasting about the government's boost to transit users in the greater Toronto area. He made reference to me, the Progressive Conservative transit task force and also to some people. While he was blowing his party's \$5-billion horn, his comments about our party's task force on transportation were distasteful and uncalled for.

If he had actually read the newspaper article which he was citing or, better yet, attended the event at the Scarborough Civic Centre, he would have realized that an improved infrastructure of bicycle paths in Metropolitan Toronto was one of many deputations made to the committee. Furthermore, to thousands of bicycle users across Metro and the GTA this is far from being a laughing matter.

His facetious comments were rude and insulting to Marius Ois who, along with many other residents of the member's area, was concerned enough to take time out to share his views. I take great exception to a member of this House lauding a government initiative at the expense of decent, caring and intelligent people, many of whom live in the Scarborough area.

Mr Speaker, I feel my privilege as a member of this Legislature has been maligned.

The Deputy Speaker: The member, I am sure, has noted what could have been part of members' statements.

#### **MEMBERS' STATEMENTS**

#### GOODS AND SERVICES TAX

Mr Laughren: The results are now almost all in on the country-wide balloting on the Mulroney government's much-hated goods and services tax. Almost 2.5 million Canadians will have voted, not only against the goods and services tax, but for fair taxes as well.

In Ontario, the latest count is over a million; 1,019,731 Ontario citizens voted against the GST and for fair taxes. I am emphasizing the fact that they were voting for fair taxes because we know that the provincial budget will be presented in this chamber in the not-too-distant future.

Despite the fact that this government refused to allow its employees 15 seconds to vote on that GST ballot, many of them did anyway. This government says that it is opposed to the GST, but at the same time it is falling all over itself to help the federal government collect it. They say they are opposed to the GST but will not allow their own employees to have 15 seconds on the job to vote against it. They say they are opposed to the GST, but at the same time they raised their own sales tax from seven per cent to eight per cent as well.

I think it is appropriate that we express our appreciation to the Canadian Labour Congress and to the Pro-Canada Network for the excellent job they did in conducting the Canada-wide ballot. **Mr Harris:** Aside from the fact that 24 million Canadians did not vote against it, I still agree with the comments made about this administration and where it stands.

#### TORONTO WATERFRONT DEVELOPMENT

Mr Harris: I was pleased to read in the Toronto Star that the Minister of Municipal Affairs has requested a review of the housing development proposed in south Etobicoke. Although the parameters of this review were not specified, I would hope that the Ministry of Housing's proposal for the Lakeshore Psychiatric Hospital and Humber College lands would be included in this review. We all agree that there is a need to build more affordable housing for the people of Metropolitan Toronto, but not at the expense of losing one of the last pieces of Toronto's waterfront as park land.

On 17 October 1989 the Premier announced his commitment to ensure "the preservation, protection and prudent use of Toronto's waterfront as an accessible and attractive place for people." He endorsed the interim report of the Royal Commission on the Future of the Toronto Waterfront and he announced the appointment of the member for St Andrew-St Patrick to develop a greater Toronto greenlands strategy. The minister should give meaning to the Premier's statement by delaying redevelopment of the Lakeshore Psychiatric Hospital and Humber College lands until we have heard from Mr Crombie, until we have heard from the member for St Andrew-St Patrick.

#### CROATIAN INDEPENDENCE DAY

**Mr Sola:** April 10 is Croatian Independence Day. On that day in 1941, the people of Croatia took fate into their own hands and in a bloodless coup proclaimed their independence.

It is the most significant date in Croatian history for most Croatians in Canada and the world over. April 10 means a rebirth of their nation, the reaffirmation of their existence, a reattachment to their roots, the preservation of their culture and the end of over 800 years of oppression under various colonial empires.

Let me state quite clearly that those who oppose the celebration of April 10 do not question its historic significance. Instead, they are opposed to the very idea of Croatian nationhood, of Croatian independence and of Croatian self-determination.

As fervent supporters of the democratization process in eastern Europe, Croatian Canadians hope their relatives take their cue from Lithuania and declare their independence following the elections this month. April 10 will retain its significance until it is upstaged by a date, on the near horizon, when the country of their ancestors arises anew, free, independent, sovereign and democratic.

1340

#### OCCUPATIONAL HEALTH AND SAFETY

Mr Mackenzie: For construction workers in Ontario today, few issues rate higher than the problem of inadequate toilet and washroom facilities on construction sites. Health and safety is a major concern but is followed closely by the personal and practical matter of toilet and washroom hygiene. Indeed,

there is an obvious and close connection between health and safety and clean and adequate washrooms.

This government currently has two resolutions in Orders and Notices to resolve this matter. The first is in my name and clearly outlines the steps suggested by members of the building trades in dealing with this matter at their convention. This is a long-standing concern of construction workers and a matter I have been raising for some time. The second resolution is an abbreviated version in the name of the government member for Hamilton Centre.

It is unlikely that any member would oppose this practical and long-overdue move to washroom cleanliness, unless the construction industry opposes it, and of course we all know its influence on this Liberal government. Surely such opposition would not overrule common sense.

There is no reason why this government should not move immediately to correct this problem. It would pass without opposition, I suspect, and I call on the government to proceed with one of the resolutions on the order paper or one of its own drafting.

#### HIGH TECHNOLOGY

Mr Cousens: I am very pleased to present to each of the members of the Ontario Legislature a copy of the annual directory of the York Technology Association. I have a copy here. It was unveiled last week by the Deputy Minister of Industry, Trade and Technology, Len Pitura, at a meeting of the technology association in Markham.

Close to 150 people were present at that luncheon as we unveiled this, our 1990 capability showcase, a directory of the high-tech companies in North York, Scarborough and South York regions that are working together to promote the high-technology industry. It is a subject that is very important to all of us in this House, and I think that other members will be interested in the kind of capabilities that are being done by the free market.

The companies that are participating in this association, which is the largest association in the country of its type, are all doing this without government support per se. They might come for the odd loan but they are doing it primarily in support of the free enterprise system.

I am very pleased that we have had excellent support from the minister and his department, but also from those who have put together this publication from Maclean Hunter and from our editorial crew, Mrs Veronica Cluett and the people in the association.

We have an awful lot of good things happening out there in the province of Ontario and this just happens to be one of the great ones.

#### ST THOMAS TRANSIT SERVICES

Miss Roberts: I rise today to commend the city of St Thomas on the implementation of its paratransit service. In a society where senior citizens and people with disabilities encounter numerous barriers to living full and independent lives, it is the responsibility of all of us, and particularly those of us in government, to help break down those barriers and to create a society where everyone has equal opportunities.

It is as part of this effort that I approached my colleague the Minister of Transportation to work with the city to improve the transportation services in my riding so as to make them accessible to both disabled persons and senior citizens. Through the ministry's municipal transit program, the city of St Thomas is now in a position to offer its special transit service to both

senior citizens and disabled persons. All advocates of this project ought to be commended for their efforts.

I would like to acknowledge the contribution of Rosemary Colledge of the Elgin county chapter of the Multiple Sclerosis Society, Marlene Eveland and Colin Tyler of the St Thomas Elgin Access Awareness Association, and the members of the city's paratransit advisory committee who have demonstrated an enormous commitment to improving the quality of life for our disabled people. The credit for the St Thomas paratransis service is in large measure their effort. I wish this service every success.

#### **PRIVATIZATION**

Mr Kormos: It is important that we spend a few moments talking about the liquor store employees here in the province of Ontario. Down in the Niagara Peninsula, we have some 100 employees in approximately 20 stores, two of the stores in Welland, one of them in Thorold.

These hard-working men and women do a number of things besides merely stock the shelves and ring up sales on the cash register. Why? They make sure that underage purchasers are not allowed to buy alcohol or wines. They make sure that Ontario products—and in Niagara, Niagara products—get priority when customers ask to be referred to a particular wine or beverage. They make sure that shrinkage is kept at a minimum. They make sure that the stores are run efficiently and effectively.

This government, the Liberals in Ontario, are threatening the livelihood of those same good men and women, people like Peter Battista, Nick Tancredi, Denise Stewart and Andy Thivierge. These people are being faced with tragic layoffs as a result of this government's trend towards privatization. It is a trend that echoes what the federal government did with free trade; that is to say, those jobs that were not destroyed by the Tories in Parliament Hill by virtue of free trade are now being destroyed by the Liberals by virtue of their policy of privatization.

People like Phil Stevenson and Charlene Burger are too important to their communities, and the communities of Welland and Thorold will not tolerate any effort on the part of this government, these Liberals, to destroy jobs in the Liquor Control Board of Ontario stores in Niagara.

#### **ELIZABETH LUE**

Mr Eves: I would like to bring to the attention of this House a very serious and urgent matter. Six-year-old Elizabeth Lue from Scarborough has aplastic anaemia, a rare and extremely serious blood disorder. A massive search is under way to find a bone marrow donor for Elizabeth. She is of Chinese descent, and the chance of finding a suitable donor in the Chinese community is one in 4,000. To date, 3,700 people have donated blood to be tested, but a bone marrow donor has not yet been found.

Because of the quantity involved, the blood samples have to be sent to the American Red Cross to be tested at a cost of \$75 per test, which is not covered by OHIP. Although \$140,000 has been raised so far, the total cost now stands at over \$275,000. The campaign to save Elizabeth is in serious jeopardy unless funding for more blood testing can be found. Doctors say that without treatment, Elizabeth will likely die within a month.

The government must assist with the funding of this lifesaving endeavour. We have seen the community rally around Elizabeth; it is now the Ontario government's turn. The search for a donor for Elizabeth will also benefit future patients in need of a bone marrow transplant. All of the people tested so far are being added to an international bone marrow registry. Time is running out for Elizabeth. We must act now.

#### SATYA BHATNAGAR

Mr Daigeler: It is a true honour to extend congratulations to Dr Satya Bhatnagar of my riding. Dr Bhatnagar last week received the province's Outstanding Achievement Award for Voluntarism. I am very pleased to see a member of my city recognized in this fashion.

Dr Satya Bhatnagar has served the Indian and many other communities in a number of volunteer positions in the Ottawa-

Carleton region for more than two decades.

He has been especially active in organizing fund-raising events for a variety of children's organizations, including the Ontario Society for Crippled Children.Dr Bhatnagar has arranged for children's concerts that showcase the talents of Ottawa area children in dance, music and theatre. Proceeds from these concerts went to the Children's Aid Society of Ottawa-Carleton. His ongoing support for this organization has recently earned him an honorary life membership in the children's aid society. Dr Bhatnagar is also one of the founding members of the Multicultural Society for Children.

In his volunteer work, he has drawn together organizations and individuals from a wide range of ethnic, cultural, racial and religious communities. His caring and concern has inspired numerous adults and children to become volunteers, not only from his own Indian ethnic community but from other areas of life as well.

I invite my colleagues in the Legislature to join with me in congratulating Dr Bhatnagar on his receipt of the 1990 Outstanding Achievement Award for Voluntarism.

#### **VISITORS**

The Deputy Speaker: Before we proceed, I would ask all members of the Legislative Assembly to recognize in the Speaker's gallery the Solicitor General for the province of Alberta, the Honourable Dick Fowler and the Attorney General for the province of Alberta, the Honourable Ken Rostad. Please join me in welcoming our guests.

Furthermore, in the members' west gallery, is a former

member of this Legislature, Pat Hayes.

1350

#### **ORAL QUESTIONS**

#### RETAIL SALES TAX

Mr B. Rae: I have one question for the Premier, but I will stand down my question to the Premier and ask one question of the Treasurer as a leadoff.

Taking note of the remarkable degree of public opposition being expressed to the goods and services tax by citizens of this province and across Canada, I wonder if the Treasurer can explain the decision on the part of his government to add the provincial sales tax to the GST if and when the GST comes in. I wonder if the Treasurer can justify that kind of decision, because I am sure he would agree with me that it certainly leaves one with the impression that the province of Ontario is living off the avails of the goods and services tax.

Hon R. F. Nixon: The Leader of the Opposition puts it in his own inimitable prose, and in his own inimitable way he is misinformed. The retail sales tax is levied on top of whatever the cost of the goods that we tax happens to be. That includes at the present time the manufacturers' sales tax, so the province

has been collecting tax on tax since the tax was inaugurated in about 1961.

The honourable member would know that if the goods and services tax proceeds there will be a much broader base and much of the base will not be taxed by our sales tax at all, but if we were to forego putting the provincial tax on top of the federal tax we would lose in revenue about \$500 million to \$600 million. The honourable member may have some alternative for making that up, such as increasing our rate of tax or decreasing support for the opposition parties, something like that, but in fact it is a serious matter when the honourable member would indicate that by changing our policy we would forego about \$500 billion. It is not our intention to do that.

Mr B. Rae: The Treasurer has often used that figure. I wonder if he would be kind enough to tell the House, since he has such an accurate accounting, how much Ontario stands to gain in strict revenue terms by adding the retail sales tax to the GST. He must have that calculation. Can he please tell us what it is.

Hon R. F. Nixon: I have already told the honourable member, putting the question the other way, how much we would lose if we did not proceed with our policy, which is the same policy that has prevailed in the province since 1961. The answer is, just under \$600 million.

Mr B. Rae: I wonder if the Treasurer still stands by the figure he gave, or at least officials in his ministry gave, since he is not willing to share this number with the people of Ontario. Perhaps he would confirm the figure that came out last August 1989. It is that on the most conservative figures provided by the Treasury of Ontario, Ontario's Treasury stands to gain some \$170 million, which can be described as living off the avails of the GST by the Ontario government, adding a tax on a tax. By adding his tax on to this tax he is increasing his revenues by \$170 million according to figures he used back in 1989.

I want to ask the Treasurer specifically this question: Is that figure still the figure he is using? If not, what is the figure he is using and can he deny that the effect of what the provincial government is doing is that for all its formal protestations it is going to help the federal government collect the sales tax where it parallels the retail sales tax in Ontario? That is the first thing he is going to do for the GST, and the next thing he is going to get off the avails of the GST is to increase his own revenues by at least \$170 million.

**Hon R. F. Nixon:** The effect will be largely neutral.

Interjections.

**Hon R. F. Nixon:** It will. There will be no extra income, but if we do not—

Mr D. S. Cooke: That's not true.

Hon R. F. Nixon: I have told the honourable gentleman as clearly as I possibly can, and he refuses to accept it, that if we were to change our policy we would have to increase the rate of the taxation by about three quarters of a per cent. If he is urging me to increase the sales tax, then perhaps those people who are interested in the tax base in the province should know about it right now, that the New Democratic Party favours an increase in sales tax. Certainly we do not want to do that. We should also make it clear, since we are both talking with a certain degree of hyperbole, that we have offered to provide some assistance with this tax. The federal government has indicated clearly that it is going it alone.

The Deputy Speaker: New question, the member for Sarnia.

Mr Brandt: My first question is also for the Premier and in view of the fact that he has not yet arrived, I will stand down the first leader's question. I ask that I be allowed to give the second leader's question to the member for Parry Sound.

#### LONG-TERM CARE

Mr Eves: I have a question for the Minister of Health. Could the minister tell us what she knows about a confidential initiative that her deputy minister is participating in to merge the ministries of Health and Community and Social Services.

Hon Mrs Caplan: I would say to the member opposite that, as he knows, we have undertaken discussions on long-term care reform. The Ministry of Health, the Ministry of Community and Social Services, the Office for Disabled Persons and the Office for Senior Citizens' Affairs are discussing implementation of a significant initiative.

Mr Eves: I have in my possession a memo dated 19 February 1990 marked "confidential," signed by both deputy ministers—

Interjections.

**Mr Eves:** The Attorney General may think this is a laughing matter. We are talking about half of the provincial Treasury here.

I would like to read to the minister from one page, and I quote, signed by her deputy minister, "The project will be considered as an internal government study and will not involve any public consultation." What does the minister have to say about that? Does she think that is an appropriate way to go about merging two of the three biggest ministries in the Ontario government?

Hon Mrs Caplan: As the member opposite knows full well from his time in government, governments set policy decisions and deputies and the bureaucracy then implement those decisions. As he knows, there are many policy decisions that are under consideration. Long-term care is a very significant and important one.

Mr Eves: Is the Minister of Health telling us that she does not see anything wrong? Without asking for input from health care providers, those in the health care field and those in the areas of community and social services who provide services, she is just going to go ahead with her own little private initiative, make up her mind what she is going to do, and then hold a sham of public hearings and ask for public input afterwards, after she has decided what she wants to do.

I will read to her the next paragraph in the same memo that her deputy signed. "Decisions on public input will be made following completion of recommendations for a high-level design of a possible new ministry." In other words, she is going to talk to the public after she has decided to create this new ministry, after she has decided what she is going to do, as they do with so many other things over there. Then she is going to ask the public how she is going to spend \$20 billion of their money every year.

Hon Mrs Caplan: The member opposite could not be more off base. I have to tell him that in fact at the present time there is an interministerial task force on long-term care reform which is consulting and discussing widely with all of the groups that have an interest in reform of a system, in fact reform of a non-system, called long-term care. It is a very significant initia-

tive and I can tell him that I am proud of the level of consult ation that has begun and that will continue to go on. I would sa to him that his theatrics are unbecoming.

The Deputy Speaker: New question.

**Mr Brandt:** Mr Speaker, could the rotation go back to th New Democrats, as the Premier has not arrived yet?

The Deputy Speaker: This is what I was expecting to do.

#### **ENVIRONMENTAL PROTECTION**

Mrs Grier: Last week the Leader of the Opposition raise with the Minister of the Environment the case of an employe of Varnicolor Chemical Ltd in Elmira.

The Deputy Speaker: You are addressing which minister?

Mrs Grier: I would like to address another question to the Minister of the Environment on that issue, because when the Leader of the Opposition asked the minister what protection this employee might have, because of his actions in blowing the whistle on his employer's violations of the Environmenta Protection Act, the minister read from sections of the Environmental Protection Act and strongly asserted that the employer in question, Alan Marshall, was thoroughly protected. Three days later Mr Marshall was fired.

I would like to ask the minister today whether he still con siders that this individual, who in attempting to protect the environment had talked to the public, had talked to the media and had talked to the ministry officials, has any rights to protect hiemployment.

#### 1400

Hon Mr Bradley: He most certainly does, as I indicated to the member for York South when he asked the same question about a week ago, I think it was, in the House. I indicated that under section 134b of the Environmental Protection Act there is protection, and it is through the Ontario Labour Relation Board, Statutes of Ontario, 1983, chapter 52, section 22. It says

"No employer shall, (a) dismiss an employee; (b) discipling an employee; (c) penalize an employee; or (d) coerce or intimidate or attempt to coerce or intimidate an employee, because the employee has complied...with," and it lists the various environmental acts that we have in the province of Ontario, "or a regulation under one of those acts or an order, term or condition, certificate of approval, licence, permit or direction under one of those acts or because the employee has sought of may seek the enforcement of one of those acts or a regulation under one of those acts or has given or may give information to the ministry or a provincial officer or has been or may be called upon to testify in a proceeding related to one of those acts or regulation under one of those acts."

Clearly the legislation does protect this individual and he will receive that protection appropriately before the Labou. Relations Board. If he feels that his dismissal or layoff o whatever the terminology that is being used is a result of this he may certainly through the Ontario Labour Relations Board utilize this section of the act to protect himself.

Mrs Grier: I think the minister is quite wrong and I think the minister is in grave danger of misleading people in thi province who feel they have the right to protect the environment. The danger exists because the act he has quoted to uvery clearly says that the employee is—

**Hon Mr Ward:** On a point of order, Mr Speaker: I believe the member used language that was unparliamentary.

10 APRIL 1990 479

Interjections.

The Deputy Speaker: Order, please. I would like to remind the member that the language used is very close to being unparliamentary and I would invite the member to be more cautious.

Mrs Grier: The section of the legislation that the minister has quoted, now for the second time, clearly protects an employee who refuses to pollute, and it protects an employee who gives information to the ministry or a provincial officer. The employee I am referring to spoke to a citizens' environmental group, spoke to the media and spoke to the Ministry of the Environment.

Can the minister explain why he has refused to bring in environmental rights legislation that would make it very clear that, as he says, an employee is protected. The legislation does not say the employee is protected. Why has he refused to bring in clear environmental rights for such employees?

Hon Mr Bradley: It is obvious that it is quite clear under this particular act, and what I read to the member is quite clear. He has the right, obviously, by protection under this particular act. There is not the kind of situation that the member believes exists. In fact the member would know that, in other situations, this has been invoked. The Ministry of the Environment has assisted someone in another situation that was confronted with the same type of information being provided.

Since the information was provided to the Ministry of the Environment—a provincial officer, it says, or to the ministry—then obviously this section of the act is going to apply. It is going to apply in this case. I am sure that I certainly appreciate the assistance Mr Marshall has provided to this ministry. Since the Ministry of the Environment was at the meeting where this information was provided to the environmental group and to the ministry, he certainly has the protection that exists under section 134b of the Environmental Protection Act. It is there. It is designed to protect those kinds of people. We appreciate what he has done and we are already in the process of contacting him to assist him in this regard.

#### LONG-TERM CARE

Mr Harris: My question is to the Minister of Health. According to the minister's plan to reorganize and merge the ministries of Health and Community and Social Services into one ministry, one action identified under step 4 of this document is—I am quoting; this is a ministry document—"Prepare a highlevel organizational structure for the new ministry in terms of divisions and activities within divisions. Prepare a preliminary branch structure," and it goes on to spell out how the project will go even further to develop a consistent high-level field structure and responsibilities.

Can the minister explain how she and her deputy can justify proceeding to this advanced stage of designing a brand-new ministry without any public consultation or any client group input whatsoever.

Hon Mrs Caplan: The member opposite knows very well that we appointed a joint assistant deputy minister who would look at how Health and Comsoc could work very closely together. I would tell him that most of the constituent groups that I have spoken to and that my colleagues have spoken to greet very positively the fact that Health and Comsoc, the Office for Disabled Persons and the Office for Senior Citizens' Affairs are working together to serve the people of the province of Ontario.

Mr Harris: The document says, "The purpose of this project is to design a new ministry dealing with health and social services and bringing the two ministries together." That is what the document says the purpose is, so despite what the minister says, this document details the secret plans to present the public with a fait accompli before anyone has a chance to comment.

I tell members it is becoming a pattern: Sunday shopping, free trade, Meech Lake, lot levies, you name it. First the Peterson government makes a decision behind closed doors and then it sends it out for some token hearings before ramming it down our proverbial throats. This is a major, massive \$19-billion health and social services shake-up, and once again the public is shut out.

My question is this: Why on earth will the minister not commit it to a full and open public consultation process today with the partners, those on the front line, those who are actually delivering the services, before she makes her decisions behind closed doors?

Hon Mrs Caplan: One year ago in this Legislature my colleague tabled the principles of long-term care, committed to full consultation with the partners and announced a joint assistant deputy minister to implement the principles as they were tabled. There has been much discussion and there will continue to be, because we believe in an open consultative process with our partners as we move to improve services to the people of this province.

I see it as positive; my colleagues do. I do not understand what his problem is.

#### CHARITABLE GAMING

Mr D. W. Smith: I have a question to the Minister of Consumer and Commercial Relations. In February of this year the minister released a discussion paper on charitable gaming in Ontario, entitled Putting the Charities Back in the Driver Seat, which outlined a number of areas in which the ministry believed reforms to the regulatory framework were needed. The deadline for responses to this discussion paper was 30 March 1990. Charitable groups in my area, as well as other areas, are very interested in the course of action to be taken. Because charitable dollars are becoming ever more scarce and the need for the services of charitable organizations is becoming ever more important, I too am concerned about the plight of these charities.

I realize the deadline has only recently passed and the minister may not have had an opportunity to review all the submissions he has received, but can he tell this House what the initial response has been to his discussion paper?

Hon Mr Sorbara: I am glad to hear my friend raise that issue, because as he points out we published a document that proposes to change fairly significantly the rules and regulations relating to charitable gaming in the province of Ontario. If I might just suggest to members of the House why we are doing this, I will tell them that the rules we have right now were created some 20 years ago under an exemption under the Criminal Code, which simply provided an opportunity for the classic model of church basement bingo, if you like.

Since that time charitable gaming has developed, primarily through commercial bingo halls, into a \$600-million enterprise in the province of Ontario, and the rules we have right now are simply not appropriate to handle that sort of sophisticated business.

1410

In addition to the consultation document going out and the responses coming in, I have had an opportunity to meet with groups all around the province, in London, Ottawa, Guelph, Windsor and just last Friday in Tilbury, to hear from the charities themselves about the kinds of problems they are having. The thing that has really impressed me is the extent to which people all over this province work on a volunteer basis to raise money for their enterprises, and they do it through this model. We hope within a few months to have a better regulatory model for them.

Mr D. W. Smith: By way of supplementary, I would like to tell the minister that the groups in my area are particularly concerned about one thing, which is regulation of the commercial halls. There was a moratorium put in place to stop more construction of these halls, and this has in fact put a lot of pressure on the charities working in there. I guess they feel they are somewhat hampered when the managers of the halls decide they can be holding a charity. I just wonder if you are going to be able to balance and return charitable gaming to the charities here in the long run.

**Hon Mr Sorbara:** I am absolutely sure we will be able to do that in our new regulations.

My friend mentions the moratorium. Just to remind the members of the House, my wise and capable predecessor, the member for Windsor-Sandwich, instituted a moratorium on the expansion of this sector by way of a decision not to allow for the development of any new commercial bingo operations in the province until we had a better regulatory model.

The thing that is absolutely clear in all of this is that the government must have the authority to license commercial operations. Under a licensing mechanism, we would therefore be able to inspect and audit all these operations and do that for one primary purpose, and that is to ensure that the charities are getting all and every single cent that is due to them in this volunteer work they do operating licensed charitable gaming, primarily bingo, all over the province.

We are going to put the charities back in the driver's seat. We are going to be licensing the commercial operations, and when those regulations are in place, then we will be able to lift the moratorium that my friend talks about.

#### PLANT CLOSURES

Mr Farnan: My question is for the Minister of Labour. These are pink slips. It is a form the minister will be familiar with. A worker receives a form like this when he loses his or her job. On my desk are a large number of pink slips, and each pink slip represents the loss of one job. There will be 1,250 workers in Cambridge and Woodstock who will lose their jobs as four clothing plants and the head office of TAG Apparel Group close permanently later this month.

How does the minister have the nerve to call himself the Minister of Labour when he is prepared to sacrifice workers to the barracudas of the marketplace, leaving the workers, in the case of bankruptcy, without any protection for their wages, severance pay or vacation pay?

Hon Mr Phillips: I share the concern of all members in the House when we see a layoff and people losing their jobs. Each one of these is a very real human tragedy. We are very fortunate in the province that over the last five years we have been able to see jobs created at a rate that has reduced unemployment from around 10 per cent down to less than six per cent. In spite of

that, there are still tragic cases, as the member points out, where we do have layoffs. We do step in, and our employment standards branch works with companies to attempt to ensure that the workers are paid their back wages and their vacation pay and paid for their severance at termination.

However, in the case of a bankruptcy, it is sometimes difficult to recover the wages. We have been urging the federa government to take steps to ensure that in the case of a bankruptcy, wages are protected. To date, we have been unable to persuade the federal government to move on that, but we will not stop, because indeed it is a human tragedy in each case.

Mr Farnan: The workers of Ontario do not want the sympathy of this Labour minister; they want action. The Brown commission reported in 1985 and recommended protection for workers of wages, severance pay and vacation pay. For five years now this Liberal government has done absolutely nothing to protect workers when a company goes bankrupt. No doubt the minister is comforted that his Liberal friends in the banking community, shareholders and creditors, will all have a piece of the pie, leaving only the crumbs, if anything, for the workers.

Will the minister outline to the Legislature the specific steps the Liberal government has taken and will take to protect the rights of workers to the moneys owed to them when a company goes bankrupt? It is time he acted. He should not shove this off on the feds.

Hon Mr Phillips: Again, I would remind the member that in the case of bankruptcies, it is clearly a federal matter. We have constantly urged the federal government to act in this matter. There is something called the Constitution that we all must recognize, so in the case of bankruptcies, it clearly is a federal matter that we are urging and pushing the federal government on.

Having said all of that, if you look at the severance programs in this province, there is no province that has a more comprehensive severance program than we have. If you look at the activities of the Premier's Council, for the last year it has been preparing a report specifically on these issues.

So while we might like to step into the federal jurisdiction it is clear that in bankruptcies, it is the federal government's responsibility. We will continue to urge them to act in this important area.

The Deputy Speaker: Order, please. There are many private conversations that make it difficult at question period. Order.

#### MILK QUOTAS

Mr Villeneuve: My question is of the Minister of Agriculture and Food. The minister's records will show that in April 1986, fully four years ago, the Premier promised the St Albert Co-operative Cheese Manufacturers Association that he would solve its quota problems. I have a photograph. It was a great photo of the Premier, the member for Ottawa East and the member for Prescott and Russell. The minister knows that the co-opwas founded in 1894 and is still not getting enough milk to meet the demand for its fresh cheddar cheese and curds sold over the counter.

The minister's predecessor and the Premier did absolutely nothing in four years to solve the problem. Is the minister willing to attack and solve that problem once and for all?

Hon Mr Ramsay: I am quite happy to address this question from my friend the critic from the third party today. Would like to almost pose the question back that I would hope

that the member is in support of the supply management system of this province, because that is what he is questioning. He is questioning the very heart of that system.

I would like to say to the member, though, that at this particular time he knows that the St Albert—

Interjections.

**The Deputy Speaker:** Order, please. One member at a time, please. Order. The Minister of Agriculture and Food may proceed.

Hon Mr Ramsay: The member knows that at this particular time this issue is before me, as the people at the St Albert cheese co-operative have asked me to review the decision of the Farm Products Appeal Tribunal. I am in the process of doing that. As he knows, by the 16th of this month, I will be rendering a decision on that, so that at this time it would be inappropriate to make any further comment.

Mr Villeneuve: Well, in 1986 the Premier had a definite plan to solve their problem, much like no-fault auto insurance. Four years later we still have a problem.

The ruling made by the Farm Products Appeal Tribunal has been appealed, and one item not in the appeal is whether or not milk made into fresh cheddar cheese or curd could be exempt from the planned supply quota rationing system. Will the minister agree to follow this route and look at creating an entirely new classification for fresh cheddar cheese and curd products, and is he willing to meet with representatives of the co-operative to try to finally iron this out? It has been four years. It has to be addressed.

#### 1420

Hon Mr Ramsay: In an attempt to answer all the questions the member has posed, it would be inappropriate at this time to meet with the members of the co-op, but after the period that I have rendered my review, I would be happy to do that.

The member must know that the second issue he brought up today about the separate classification for fresh milk going into production of cheese is something that the Farm Products Marketing Board will be looking at separately. I would like to tell the member that in another hour I will be announcing the restructuring of the Farm Products Marketing Board. I think that it will be more flexible and it will be looking at that first challenge to see how flexible it can be.

#### TENANT HOTLINES

Ms Poole: My question is for the Minister of Housing. On Thursday, the minister indicated that provincial funding for tenant hotlines in Ottawa and Metropolitan Toronto would be withdrawn for two reasons. First, a province-wide 1-800 rent review hotline would be more cost-effective and, second, there had been a growing demand for provincial funding for tenant hotlines in other centres.

I would ask the minister if he would consider instead a formula whereby if both the local tenants' federation and the municipality make a commitment of funds to a tenants' hotline then the province would provide matching funds.

Hon Mr Sweeney: I want to recognize my honourable colleague's interest in this subject. I also want to tell her that I am impressed by the fact that the Federation of Metro Tenants' Associations and Metro council are considering putting some of their own money into this. I presume that is a "maybe," not a "definite" yet, but anyway, I would clearly say to her that is a

legitimate response and I would certainly encourage them to do so.

However, I would say to my honourable colleague that the responsibility of the provincial government is to provide a provincial service, not just a local one, and that if those two organizations want to provide a local service as well, I would certainly encourage them to do so. I point out to her that in just seven days the service we are now offering has answered 163 calls, 93 of them from the central region, 44 of them from the eastern region and 26 from the southwestern region. I think that is a clear indication that we are now serving the entire province, rather than just two cities.

Mr Faubert: This situation is causing some anxiety among tenants, who are concerned that the loss of this hotline may reduce their options when looking for advice and direction, as opposed to simply an interpretation of the legislation. The suggestion by the member for Eglinton may not only allow this service to continue but would also maintain the minister's concern about efficiency and effectiveness across the province. Can the minister ensure that the funding for the hotline will continue during the period in which this suggestion is being considered?

Hon Mr Sweeney: I accept my colleague's observation that we need to consider both types of services and I assure him that we have already indicated both to the Federation of Ottawa-Carleton Tenants Associations and the Federation of Metro Tenants' Associations that we would extend their service and the funding for their service for two months beyond the time when we would start the provincial one.

We have also indicated to the tenants' legal service that its contract will run for an additional seven months, so that will give us an opportunity over the next two months and then over the next seven months to clearly compare the service that is being offered, the efficiency and the productivity of the resources that we have.

**The Deputy Speaker:** Order, please. Before we proceed with the normal rotation, there were two questions to the Premier that were stood down.

#### PATRICIA STARR INQUIRY

Mr B. Rae: I have a question for the Premier. It concerns the Premier's decision last year to announce a public inquiry and the grounds upon which he felt that a public inquiry was necessary.

I wonder whether the Premier can tell us whether he still feels as he did last June, that a public inquiry was the only way to re-establish public confidence in the conduct of public officials and in the integrity of the political system of which he is the nominal leader.

Hon Mr Peterson: There were a number of allegations at the time, as my honourable friend knows, a number of allegations made in this House, some by him. Some of the allegations, the member will recall, that he made specifically were quite wrong and he had to stand up in this House and apologize for that. He will remember that. It was a very supercharged atmosphere and we felt it was a reasonable approach, given the circumstances.

Mr B. Rae: The reason I ask the question is that it is perfectly clear that this government has an awful lot at stake. Indeed, I think it is not too much to say that there is a great deal that this government would rather not have revealed, whether in a public inquiry or in any other way.

The Supreme Court of Canada made it very clear that it was not a question of public inquiries themselves being wrong; it was a question of these particular terms of reference being incorrect.

I want to ask the Premier very specifically this question. Since he said last June that he needed a public inquiry to re-establish confidence in the system and since he has said again today that is the reason he called for a public inquiry and considering that he has had time to reflect on the Supreme Court decision, exactly what is it that is stopping him from holding a broader inquiry into the question of how such a degree of outside influence could have been exercised on his government and what is precisely the relationship between the Liberal Party and the development industry?

Hon Mr Peterson: My honourable friend is extremely promiscuous in his use of words and his imputation of motive. Mr Speaker, you will want to review very carefully, the kinds of things that this member has said in the House today and on other occasions. I just tell my honourable friend that a lot of the things he has said in here are factually incorrect, and if he were honourable, he would stand up and admit that.

The member can cast about allegations all he wants to. We chose the course we did because we thought it was reasonable in the circumstances.

Mr D. S. Cooke: What has changed?

**Hon Mr Peterson:** What has changed is a Supreme Court ruling. That is what has changed in the circumstances, and we have to obey the law.

Interjections.

The Deputy Speaker: Order, please.

Mr B. Rae: I understand from the press reports that the Premier indicated that an inquiry into the allegations of child abuse at St Joseph's Training School for Boys in Alfred had not at all been ruled out by his government but that he basically was going to be waiting for the criminal investigation process to be completed before he would make such a decision.

We have now had, allegedly, according to the Premier's government, according to the Attorney General, an aggressive police inquiry going on into the events surrounding the Houlden inquiry for over a year.

Why would the Premier not make the same statement in the House today that he made outside with respect to this particular set of issues, and that is to say that once he has completed the criminal investigation, once that process is over and a definite decision has been made as to whether he will or he will not lay criminal charges, why would he not also say, as he said last June, that people must be confident that "All public officials, whether elected or appointed, are people of integrity and I insist that the democratic system depends on the public trust and faith in the integrity of their public officials"?

Why would that not lead the Premier to the conclusion that this needs a public inquiry, just as surely as the very important allegations of child abuse at St Joseph's also merit some kind of inquiry?

Hon Mr Peterson: I think if my honourable friend wants to quote me, he wants to quote me accurately. I did say yesterday that the Supreme Court of Canada has made new pronouncements with respect to the question of inquiries. Anything that is done, obviously, has to be under the purview of this new ruling, and the difference between the two is quite simple. The Supreme Court of Canada has ruled very specifically on the

case at hand. That is the difference and it is not that hard to understand.

The Deputy Speaker: The member for Sarnia, whose question to the Premier was stood down.

1430

Mr Brandt: My question is for the Premier as well. Back on 24 June of last year the Premier was quoted as having said on the day the Houlden inquiry was called, and I quote him directly and accurately, that he knows "of no special relationship between our government and the development industry, but that is not what the appearance tends to be, and we've got to get to the root of it."

Does the Premier stand behind the words he used on 24 June 1989? Does he believe that there is at the very least \$\varepsilon\$ perceptual problem with respect to certain links between the government and the development industry, and does he believe that has to be rooted out?

Hon Mr Peterson: I think we have said on many occasions that a police investigation has to come first. That is what is proceeding at the present time and that is the ruling of the Supreme Court of Canada. That is not particularly difficult to understand. I am sure my honourable friend has read the judgement. He has a highly trained legal mind and he will understand the directive of the Supreme Court.

Mr Brandt: We have read the judgement and we know there are certain differences of opinion with respect to the very narrow interpretation being taken by the Attorney General and the position, I might add, being taken by the opposition parties. In that connection, yesterday we set forward the first step of a six-step plan to see if we can break the logjam over this issue now that the Premier has set aside any possibility of an inquiry being held as it relates to the Houlden inquiry.

I say to the Premier that yesterday we placed, through the House leader of our party, the member for Parry Sound, a series of questions that we have asked the Speaker of the House to respond to. I have today tabled with the Premier another five steps that I believe to be reasonable and responsible. I do not believe the steps being suggested conflict in any way with the Supreme Court ruling. Will the Premier at the very least take those steps under consideration?

Hon Mr Peterson: My honourable friend just sent me over a press release, and I have referred it to the Attorney General for his wise and thoughtful analysis of the situation. If by chance by some rare stroke, the member has something specific, new and constructive to contribute, we will take it under advisement.

Mr Brandt: I know full well that no one other than the Premier and his government, who are the fount of all wisdom, would have any ideas or suggestions that might be of any application to this particular problem. But let me suggest to him that the problem continues as it relates to the matters that were under review by the Houlden inquiry. Those matters, in our view, if left to the decision of the government are going to carry on for some period of time without any decision coming forward with respect to the activities of certain people.

What we have suggested I think is a responsible series of quite reasonable steps that can be taken by the government under the circumstances.

The Deputy Speaker: Supplementary.

10 APRIL 1990

**Mr Brandt:** All we are asking is that the Premier consider those steps as being a legitimate and realistic way of coming to grips with the problem of the Supreme Court decision.

Hon Mr Peterson: As I said to my honourable friend, I have not had a chance to review them. The Attorney General will, and if by any chance there is something constructive—I know how well-motivated the member is in all these matters—we will take that into consideration when we do the analysis he has come to. We also take into account the extensive legal training he has had in putting this forward. I thank him for his constructive addition to the debate.

#### NON-GLARE LIGHTING

Mr Wildman: I have a question to the Minister of Transportation. The minister will know that there has been for some time a considerable controversy about the safety at the Echo Bay bridge location in the township of Macdonald on Highway 17 east of Garden River Reserve in Sault Ste Marie. There has been a large number of accidents over the years because of poor visibility, whiteouts in winter, fog in spring and fall. Can the minister explain why his ministry appears unwilling to investigate the possibility of special lighting to improve visibility in this location and to make highway travelling more safe in that area?

Hon Mr Wrye: The honourable member would want to know that we have been doing exactly that; we have been investigating the possibility of some special lighting. I think the honourable member would want to know and would want to acknowledge that the fog conditions and the whiteout conditions which have caused, by my recollection, two accidents this past winter in that immediate area can be so serious that no amount of lighting can resolve the issue. I understand that both of the accidents occurred during daylight hours this winter, but I do want to say to the honourable member that we are currently looking at whether low-level sodium lighting would be appropriate in the bridge and the immediate vicinity.

Mr Wildman: I appreciate the minister's response. I want to point out that initially the ministry's position was that there was no kind of lighting that could resolve the problem. After that initial response, there was a five-car pile-up at that very same location.

Could the minister indicate when his ministry's investigations will be complete and when his staff will be in touch with the township of Macdonald, Meredith and Aberdeen Additional council to indicate what plans the ministry has to try and improve highway traffic travelling in that area?

Hon Mr Wrye: We have, by and large, completed our technical evaluation of the situation as it exists in the area. There has been a determination made that, from a technical point of view, this low-level lighting can be helpful in these whiteout and fog conditions. In some other conditions, we would have to depend on the Ontario Provincial Police who move very quickly and are well aware of the very peculiar weather patterns and weather conditions which can spring up, as the honourable member knows, very suddenly.

I will need a short period of time in which to sit down with my officials, probably early next week, to review this matter. Then, I give the honourable member an assurance, he and the officials in his riding will be notified immediately.

#### DEER POPULATION

**Mr Wiseman:** I have a question for the Minister of Natural Resources.

**Hon Mr Scott:** When does the Kormos speech begin? That's what I came for.

Mr Brandt: The question is, when does it end?

**Mr Wiseman:** I am sure the minister is aware that over the last few years the deer population has increased greatly in eastern Ontario and other places throughout Ontario.

**Hon Mr Scott:** I watched it on TV last night. Have you seen it? It's something else.

The Deputy Speaker: Order, please.

**Mr Wiseman:** I have a lot of apple producers, vegetable producers and now beef farmers who are finding that their new seeding is being affected.

**Hon Mr Scott:** The alliance between the bar is something wonderful.

**Mr Wiseman:** Would the Attorney General be quiet? He is not interested in agriculture but maybe—

Hon Mr Scott: I am very interested in agriculture.

Mr Wiseman: Well, listen.

**The Deputy Speaker:** Could we have a bit of order, please.

**Hon Mr Scott:** The member for Welland-Thorold is getting ready for his speech, Mr Speaker.

**The Deputy Speaker:** Order. The member for Lanark-Renfrew is trying to get his question through.

Mr Wiseman: The question is to the Minister of Natural Resources. I am sure the minister is aware that the deer population in Ontario has increased greatly, in eastern Ontario as well. I have a number of farmers—apple producers, vegetable producers and now, at the latest, beef farmers—who are having trouble with their new seeding and the deer pulling it out by the roots. A farmer phoned me last Friday and counted as many as 50 deer eating off his new seeding. He felt that he would have to rework the whole field and seed it again.

The Deputy Speaker: The question is?

**Mr Wiseman:** Would the minister be prepared to pay compensation to farmers found in this particular situation with deer damage?

Hon Mrs McLeod: I appreciate the question that the honourable member has raised. I know this is an issue of concern to farmers and to managers of woodlot areas across southern Ontario. The issue of compensation has not been one that my ministry has been involved in, in relationship to this problem, but we have been very much involved in the management of the deer herds and the growth in population of the deer herds. As I think the honourable member will know, we are concerned to manage that population growth in ways which are sensitive to the values of effective management of the animal population.

We have been able to successfully carry out controlled hunts in two counties this past fall, as well as successful controlled deer hunt in Long Point, with the consent of the federal government. We are also looking at a controlled hunt as a possible management approach to the deer population in Rondeau Park. I think we can continue to consider that type of approach where it seems to be necessary.

1440

Mr Wiseman: The deer population has increased every year. This past year we had such wet weather that even though the minister put on double the doe licences in my particular area, very few of them actually harvested a deer. We pay for wolf damage done for killing of sheep or lambs, we pay for bear damage done to beehives. I ask the minister again, with the farmers needing all the help they can get, why would the minister not pay for, or recommend to the Minister of Agriculture to pay for, damage done by deer?

Hon Mrs McLeod: Again, I would stress the fact that we are interested in long-term approaches to managing what is a very serious problem. I have indicated what we have been able to do in certain areas of the province and I would certainly undertake to ensure that our district office works with farmers in the member's particular area to determine what more we could do to assist in the long-term management of that problem.

#### ACCESSIBILITY FOR THE DISABLED

Mr Faubert: My question is to the Minister without Portfolio responsible for disabled persons. One of the major barriers preventing disabled persons from full and equal participation in our society is the lack of physical accessibility. While the Ontario government has shown leadership by creating programs to break down this barrier, there is still concern that not all government buildings are accessible. Can the minister advise the House what the Ontario government is doing to make public buildings more accessible?

Hon Ms Collins: I want to thank the member for his interest in people with disabilities. I can assure the member that the government is doing several things to make government information services and buildings accessible to people with disabilities. First of all, we have our employment equity policy in the Ontario public service. We have a policy whereby ministries are expected to provide government information in an accessible form, a usable form, such as Braille or audiotape.

But to specifically respond to the member's question on government buildings, in the last budget the Treasurer announced \$38 million to be spent over a five-year period on government buildings.

Mr Faubert: Some organizations, such as Zion-Wexford United Church in my riding, have utilized the access fund in the previous years to ensure and improve accessibility to their facilities. In December of last year, the minister announced a three-year extension to the access fund. This will obviously help in assisting all residents to more easily participate in the activities of their particular community. Can the minister update this House on the results of the access program and advise the members of the broader range of organizations now eligible to apply for funding under this most important program?

Hon Ms Collins: The access fund is is shared with the Minister without Portfolio responsible for senior citizens' affairs. I can tell the member it has been a very successful program. In the renewal of the access fund we were able to expand the criteria. We now have expanded it to include consumer advocacy groups, employment counselling and training centres, volunteer services and co-ordination centres, emergency shelters for victims of violence and sexual assault centres. We have also added other types of projects so that visual alert emergency

systems are included as well as portable hearing assistive devices systems and telecommunication devices for the deaf.

#### WINDSOR AREA ECONOMY

Mr D. S. Cooke: I have a question for the Premier in the absence of the Minister of Industry, Trade and Technology. This question deals with the high unemployment rate that exists in Windsor. The unemployment rate has ranged between nine and 13 per cent, the highest in the province, for several months now There is one practical intervention that the government could make.

One company in Windsor, Kelsey-Hayes, at one point hat several hundred employees working for it. It now has had a shutdown for several weeks. Three of its dies that are used to produce auto parts have been moved to the United States, and there are real fears that the plant will actually close down. Kelsey-Hayes is owned by Varity Corp. The government ownshundreds of thousands of shares of Varity. Would it use it influence as part-owner of this company to intervene and protect these jobs?

Hon Mr Peterson: I appreciate the information of the honourable member. I cannot tell him exactly at this moment what influence we would have in that situation, but I will certainly have the matter looked into, and if there is anything we can do we will try to do it.

Mr D. S. Cooke: I appreciate that. Perhaps the Premie could also be of equal assistance in dealing with the Windso unemployment question, in reporting on any activities of studies that the government is currently conducting to move more public service jobs to Windsor to help with the diver sification, which is something I have asked him about before He will be aware that London has approximately 4,000 Ontario public service jobs and the lowest unemployment rate in all of Canada on an ongoing basis for the last several months Windsor has 800 provincial civil service jobs and the highes unemployment rate of the entire province. Will he intervene in that area as well to help our community with jobs and diver sification?

Hon Mr Peterson: I can tell my honourable friend that certainly decentralization is part of the policy of this government. He will be aware of a number of the jobs that we have moved out of Toronto. I have chatted at length with my colleagues from the Windsor area, who have been very forceful in putting these concerns to the government. It is a matter that i under active review.

#### GREATER TORONTO AREA RAPID TRANSIT

Mr Cousens: I have a question for the Minister of Transportation. I am still pleased with his announcement las week on transportation.

Interjections.

The Deputy Speaker: Order, please.

Mr Cousens: I have a question to ask, Mr Speaker. I wajust softening them up for the kill.

Until last week the government did not show much interest in private sector funding for the Sheppard subway. However when the private sector becomes involved and contributes some portion of the cost of the subway, it is going to be looking for some kind of tradeoff, something back. What is the government prepared to give away to entice that private sector money?

10 APRIL 1990

Hon Mr Wrye: I liked the preamble to the question best of all. I must say, I was prepared at that point to entertain two, three, four or five supplementaries.

The issue the member raises is a very important one in terms of the need for the private sector to become involved in the Sheppard system. In terms of the development of the overall system, our hope is that we will be able to involve the private sector on every line because a great deal of work needs to be done quickly and a great deal of money is needed. At the same time, I want to say to the honourable member that we in this government, and I know our municipal partners do as well, intend to ensure that the public agenda comes first and that the public is served first in the development of this system.

In terms of any specific negotiating stance, I can say to the honourable member that I think it is appropriate, and I think he would agree, at this point for those discussions to go forward between the private sector, the municipalities, Metropolitan Toronto, Mayor Lastman and other officials from North York and ourselves and to let that matter take its proper course.

**Mr Cousens:** In spite of the minister's answer there will be tradeoffs. It is going to be important for us to know what these tradeoffs are during these negotiations. I would expect that the minister will be aware of our interest in that.

It is a 10-year deadline for these transit proposals and there are many hurdles yet to be overcome. Choosing the exact alignments will take time, completing the environmental assessments will take time, setting up the formula for private sector involvement will take time, the construction itself will take time. The minister has a long list of plans and proposals in his announcement. What are his top three priorities for transit improvements and when will they get under way?

### 1450

Hon Mr Wrye: The honourable member raises a good series of issues and challenges that we face. That is why we have a transit implementation committee which will meet within the next 10 days to begin the process of setting the priorities. I would not want to indicate what the priorities are. Let me just say to the honourable member, as I said last Thursday and repeat, the vast majority of these proposals will not be under way, they will be complete within this decade.

#### **MOTION**

#### **BUSINESS OF THE HOUSE**

Mr Ward moved that the House do pass to orders of the day.

Mr D. S. Cooke: If the government House leader is asking for unanimous consent, the answer is no.

The Deputy Speaker: It is not a question of unanimous consent; he has moved a resolution.

Mr D. S. Cooke: As I understand the resolution, and I have not been given a copy of the resolution, he is doing this under routine motions. My understanding is that we have rules that set out the process whereby we get to orders of the day. That is set out in the standing orders, and it would be my suggestion to you, Mr Speaker, that this motion is completely out of order since it is a changing of the standing orders of the Legislature by motion.

The Deputy Speaker: I presume you are pleading the standing orders.

Mr D. S. Cooke: I am suggesting a process whereby we get to orders of the day. The government House leader is attempting to change the standing orders of the House by a motion, without even notice to the opposition parties and without discussion. I suggest that the motion is out of order completely.

**Mr Eves:** Mr Speaker, in support of my colleague, I would presume that all this can be is a government motion. If it is a government motion, we need notice. We do not have any notice. I would suggest to you it is out of order.

**Hon Mr Ward:** Mr Speaker, as you know, the rules of this House are laid out in the standing orders of the Legislative Assembly. I will read to you rule 1(b),

"In all contingencies not provided for in the standing orders the question shall be decided by the Speaker or Chair, and in making the ruling the Speaker or Chair shall base the decision on the usages and precedents of the Legislature and parliamentary tradition."

I have spent some time looking at parliamentary tradition and some of the practices. I have to admit that it is not as entertaining reading as perhaps the Flamborough Review, but this is in fact a motion that has been used in the past. It is a motion that must be put and decided immediately. It is a motion that can be put at any time, even before the ordinary business of the House, and I would ask that you put the motion and have it decided.

Mr D. S. Cooke: On a point of order, Mr Speaker: The government House leader is quite correct that there is a rule 1(b) that says, "In all contingencies not provided for by the standing orders," but there is standing order 29. Standing order 29 says, "The routine proceedings before the orders of the day are as follows: Members' Statements, Statements by the Ministry and Responses, Oral Questions, Motions, Petitions, Reports by Committees...." Those are the standing orders of this place and it is not covered by standing order 1(b) whatever. There is a standing order that covers this entirely.

Mr Eves: Mr Speaker, not only is it covered by standing order 29, but it is also covered by standing order 46, I would suggest to you, under motions, and 46(c) says, "Such motions require notice and must be submitted to the Speaker in writing when moved, before being put to the House for debate," neither of which has been done.

Hon Mr Ward: Mr Speaker, if I could be of assistance, and I will be the first to admit that a motion of this nature has not been put before in this Legislative Assembly, I would say to you, sir, that clearly the precedent does exist, it is a well-established precedent, and in fact the motion that I have put has the same effect as moving the previous question. It is not a debatable motion, and I put it for a very good reason.

As you know, Mr Speaker, we have spent some time discussing a motion before us and, frankly, on more than one occasion we have not even been able to reach orders of the day. I would suggest—

The Deputy Speaker: Thank you. I will have to study this. I have listened very carefully. I will have to study this question. Because of the nature of this type of motion, I will have to reserve judgement, and because of that, we shall revert to normal procedures.

You are rising on a point of order, I presume?

Mr D. S. Cooke: When you are considering this, Mr Speaker, my understanding is that under motions, routine motions can be put. This, I would suggest, is not a routine motion,

this is a substantive motion, of which there has been no notice given. The implications if this motion were to be ruled in order would be to gut all of the standing orders of this Legislature by majority, without even notice or discussion in the opposition parties—very dramatic.

Interjections.

The Deputy Speaker: Order, please. I repeat that I have listened carefully and it will be studied carefully and the reserved judgement will be complete. Now, back to motions.

#### **PETITIONS**

#### MILK QUOTAS

Mr Villeneuve: I am certainly pleased that my privileges have not been breached, because this is a most important petition and it should be presented today. It is a motion which is pursuant to the question that I put to the Minister of Agriculture and Food today and it is a motion that is most important, because it does not attack and undermine the supply management way of marketing a certain product, such as dairy, poultry and eggs. Certainly it touches many people in your riding, Mr Speaker, as it does in mine, because it is signed by more than 3,000, most of them in your riding, a lot of them in mine, many of them from across Ontario, the province of Quebec and New York state.

The petition reads as follows, and it has to do with the Premier going to St-Albert with you, Mr Speaker, back a few years ago.

The Deputy Speaker: Order, please. There are many private conversations, and if members would like to have a private conversation, they can please go to the lobbies. The member for Guelph—private conversations in the lobbies, please.

Interjections.

The Deputy Speaker: We will just wait. Order, please. Le député de Stormont, Dundas et Glengarry.

M. Villeneuve: C'est réellement vrai qu'on voit que les députés libéraux ne sont pas à l'aise avec ce qui se passe cet après-midi.

The Deputy Speaker: Order, please.

Interjections.

Mr Villeneuve: "To the Lieutenant Governor General and the Legislative Assembly and the Minister of Agriculture and Food:

"We, the undersigned, petition the Ontario Legislature to intervene to settle the inequity between the supply of milk and the demand for St-Albert fresh cheese; and furthermore,

"We, the undersigned"—more than 3,000, Mr Speaker— "and consumers of fresh cheese insist and demand that we be supplied with fresh St-Albert cheese in block form and as curd."

Signed by myself—I fully agree—and more than 3,000 from Ontario, Quebec and New York state.

1500

#### WASTE DISPOSAL

Mrs Fawcett: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Legislative Assembly of Ontario as follows:

"We, the Hastings County Federation of Agriculture and residents of Ontario, want a stop put to landfill sites and to have steering committees look at, and use, energy-from-waste systems that promote the 4Rs program of reuse, reduce, recycle and recovery of energy, and no garbage in the Marmora mines.

#### **AUTOMOBILE INSURANCE**

**Mr** Allen: I would like to present a petition to the Legislative Assembly of the province of Ontario:

"We, the undersigned, hereby register our deep concern and outrage over the provisions of the Ontario motorist protection plan.

"We respectfully request that the Legislature consider substantial amendment of or completion rejection of the Ontario motorist protection plan as presently proposed. We further respectfully request that a plan be devised more nearly in accordance with the results of the independent studies undertaken at the request of the government."

I have signed this petition, which is signed in turn by nine citizens of this province.

**Mr Ballinger:** I am in receipt of two petitions. One is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario as follows:

"We wish to express our opposition to Bill 68."

There are 22 signatures.

On my second petition, I have a total of 61 signatures.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the Parliament of Ontario:

"We respectfully request that the Legislature consider substantial amendment of, or complete rejection" of Bill 68.

**Mr Hampton:** I have a petition. It is addressed to the Legislative Assembly of Ontario and it states:

"Whereas Bill 68 is legislation that makes tragic changes to the rights of innocent injured motor vehicle accident victims;" and

"Whereas the Peterson government has made it clear that they want this legislation rammed through, notwithstanding that people across Ontario have made it clear they want this bad legislation dumped; and

"Whereas there is nothing in Bill 68 that gives effect to David Peterson's promise in 1987 that he had a very specific plan to reduce auto insurance premium rates, because once this legislation is passed by the Liberals, auto insurance premiums will climb by as much as 50 per cent according to the Minister of Financial Institutions; and

"Whereas the Liberal government's auto insurance legislation will provide enormous taxpayer subsidies to the private corporate auto insurance industry, costing the Ontario taxpayer at least \$141 million in the first year alone; and

"Whereas this legislation will cost drivers in Ontario millions of dollars in increased premiums; and

"Whereas Peterson and the Liberals have refused to listen to the hundreds of submissions made to them calling upon them to abandon this bad legislation;

"We, the undersigned, petition the Legislative Assembly of Ontario as follows:

"That Peterson and his Liberal government end this sellous of taxpayers, drivers and victims and that they immediately withdraw Bill 68."

I have signed this petition and I wholeheartedly agree with it.

The Deputy Speaker: Especially after giving us a brief résumé of the petition.

#### INTRODUCTION OF BILLS

#### HIGHWAY TRAFFIC AMENDMENT ACT, 1990

Mr D. S. Cooke moved first reading of Bill 138, An Act to amend the Highway Traffic Act.

#### 1508

The House divided on Mr D. S. Cooke's motion, which was agreed to on the following vote:

#### Ayes-69

Allen, Ballinger, Bossy, Brown, Bryden, Callahan, Campbell, Caplan, Charlton, Chiarelli, Collins, Cooke, D. R., Cooke, D. S., Cordiano, Curling, Eakins, Elliot, Elston, Epp, Faubert, Fawcett, Ferraro, Fontaine, Fulton, Furlong, Grier, Haggerty, Hampton, Henderson, Kanter, Keyes, Kormos, Kozyra, Laughren, Lupusella;

MacDonald, Mahoney, Mancini, Matrundola, McClelland, McGuigan, Miclash, Morin, Morin-Strom, Neumann, Nicholas, O'Neil, H., O'Neill, Y., Oddie Munro, Pelissero, Philip, E., Polsinelli, Poole, Pouliot, Ray, M. C., Reville, Reycraft, Riddell, Runciman, Ruprecht, Smith, D. W., Smith, E. J., Sola, Stoner, Sullivan, Villeneuve, Ward, Wilson, Wrye.

#### Nays-3

Cousens, Johnson, J. M., Marland.

#### ONTARIO LOTTERY PROFITS AWARDS COUNCIL ACT, 1990

Mr Laughren moved first reading of Bill 139, An Act to establish the Ontario Lottery Profits Awards Council.

#### 1519

The House divided on Mr Laughren's motion, which was agreed to on the following vote:

#### Aves-54

Allen, Bossy, Brown, Bryden, Callahan, Campbell, Caplan, Charlton, Chiarelli, Collins, Cooke, D. R., Cordiano, Curling, Eakins, Elliot, Elston, Epp, Faubert, Fawcett, Ferraro, Fulton, Furlong, Grier, Haggerty, Hampton, Hart, Henderson, Kanter, Kerrio, Keyes, Kormos, Kozyra, Laughren;

MacDonald, Mancini, Matrundola, Miclash, Miller, Morin-Strom, Neumann, Nicholas, O'Neil, H., Oddie Munro, Pelissero, Philip, E., Poole, Pouliot, Rae, B., Ray, M. C., Riddell, Ruprecht, Stoner, Wilson, Wrye.

#### Nays-6

Johnson, J. M., Lupusella, Marland, Pollock, Smith, D. W., Wiseman.

The Acting Speaker (Mr Breaugh): Order, please. Would the members resume their seats? Would the member for Niagara Falls resume his seat? Not somebody else's seat, your seat.

**Mr Kerrio:** If I had known I was going to cause all this fuss, I would have stayed out.

The Acting Speaker: There are ways you can lose your seat, and that is one of them.

Does the member have an explanatory statement?

Mr Laughren: Yes, very briefly. I should tell members what they just voted for. They voted for the establishment of an Ontario lottery profits awards council to deal with—

Mr Kerrio: We didn't vote for the bill.

The Acting Speaker: Order, please.

Mr Laughren: —to deal with the profits of provincial lotteries and to promote cultural, multicultural and recreational activities. I very much appreciate the support of all the members who supported my bill.

Ms Poole: On a point of order, Mr Speaker: I think I would point out that we did not vote for the bill. We voted for his right to introduce it.

The Acting Speaker: That, of course, is not a point of order, but we are always happy to take lectures from the members.

#### PUBLIC LANDS AMENDMENT ACT, 1990

Mr Ward, on behalf of Mrs McLeod, moved first reading of Bill 140. An Act to amend the Public Lands Act.

#### 1530

The House divided on Mr Ward's motion, which was agreed to on the following vote:

#### Ayes-57

Allen, Ballinger, Bossy, Brown, Bryden, Callahan, Campbell, Caplan, Charlton, Chiarelli, Collins, Cooke, D. R., Cooke, D. S., Curling, Eakins, Elliot, Elston, Epp, Eves, Faubert, Fawcett, Fulton, Furlong, Grier, Haggerty, Henderson, Kanter, Kerrio, Keyes, Kormos, Kozyra, Laughren, Lupusella, MacDonald, Marland, Matrundola, Miclash, Miller, Nicholas, O'Neil, H., O'Neill, Y., Oddie Munro, Philip, E., Pollock, Poole, Pouliot, Ray, M. C., Reycraft, Riddell, Ruprecht, Smith, D. W., Smith, E. J., Stoner, Ward, Wildman, Wilson, Wrye.

#### Nays-0

Mr Eves: Mr Speaker, I rise on a point of order under standing order 95(d). On 10 July 1989 I tabled Orders and Notices paper question 265, which reads as follows, "Would the Minister of Health table a list of all hospitals approved by the ministry with regard to the sale and/or leaseback of hospital equipment."

Standing order 95(d) states, "The minister shall answer such written questions within 14 calendar days unless he or she indicates that more time is required because the answer will be costly or time-consuming or that he or she declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that the minister has declined to answer, as the case may be."

Order paper questions are supposed to be answered within 14 days, yet it is over nine months since I tabled this question. Mr Speaker, it is your responsibility to ensure that the standing orders of this House are complied with. The government has shown a blatant disrespect for standing orders by not answering

this question. I ask you to take the necessary steps to enforce the standing orders of the Legislative Assembly of Ontario.

The Acting Speaker: I will take that matter under consideration. Further introduction of bills?

#### EMPLOYMENT STANDARDS AMENDMENT ACT, 1990

Mr Wildman moved first reading of Bill 141, An Act to amend the Employment Standards Act.

The Acting Speaker: All those in favour will please say "aye."

All those opposed will please say "nay." In my opinion the ayes have it.

Motion agreed to.

Mr Wildman: The purpose of the bill is to make employers responsible for any losses experienced by the employee when the employee is forced by the employer to cancel or change vacation plans after having received permission to take a vacation at that time.

#### BEDS OF NAVIGABLE WATERS AMENDMENT ACT, 1990

Mr Haggerty moved first reading of Bill 142, An Act to amend the Beds of Navigable Waters Act.

Motion agreed to.

**Mr Haggerty:** The bill would establish the high-water mark as the boundary of property described in a crown grant bounded by navigable water to provide a uniform interpretation in such cases.

#### TOMMY DOUGLAS DAY ACT, 1990

**Mr Philip:** I beg leave to present a bill entitled the Tommy Douglas Day Act, 1990.

The Acting Speaker: Mr Philip moves that leave be given to introduce a bill entitled Tommy Douglas Day Act, 1990 and that the same be now read the first time.

All those in favour will please say "aye." All those opposed will please say "nay." In my opinion the ayes have it.

Motion agreed to.

Assistant Clerk and Clerk of Journals: This is a bill entitled An Act respecting Tommy Douglas Day Act, 1990. First reading of the bill.

**Mr Philip:** The purpose of the bill is to commemorate the banning of extra-billing in Ontario by naming 20 June after the father of medicare, Tommy Douglas.

The Acting Speaker: I would just take a moment to remind members that the obligation of the chair is to read exactly what you hand me as a motion. So if there is a spelling error or a grammatical error, it is not my job to correct it. As a matter of fact it is quite wrong for me or for the table officers to do so. While I was jesting somewhat earlier, it is helpful if the motions that you present to the chair are typewritten, clear and contain no errors. We will now print exactly what you ask us to print. If you want something that is printed in a form that you are content with, please make sure that it is in that form before you present it to me.

#### SENIORS' INDEPENDENCE ACT, 1990

Ms Bryden moved first reading of Bill 146, An Act for the Provision and Integration of Community-based Services for Seniors.

Motion agreed to.

Ms Bryden: This is the second time I have introduced this bill, but it died on the order paper in the last session. I hope it will be debated and passed this time, because it is very important legislation for seniors in this province.

Briefly, the bill creates a framework for providing seniors with services integrated with those in the community in order that they may continue to live independently in their own homes and not be institutionalized.

1540

#### EXTENSION OF HOUSE HOURS

The Acting Speaker: Mr Ward moves, pursuant to standing order 9(c), that the House sit past 6 pm.

The motion is in order. I would remind members that if members do not want to have the motion put there is provision in the standing orders for what we commonly refer to as blocking; that is to say, if 12 members stand in their place when the motion is put, the motion cannot be put. It is the same blocking provision that we have used on other occasions. The motion is in order. I simply look now to see if there are 12 members who wish to block the putting of that motion. I will ask the table officers to count them.

Sufficient members having objected by rising, a vote was not taken on Mr Ward's motion.

#### ORDERS OF THE DAY

# TIME ALLOCATION (continued)

Resuming the adjourned debate on government notice of motion 30 on time allocation in relation to Bill 68, An Act to amend certain Acts respecting Insurance.

Mr Kormos: Finally we get back to discussing this motion. I want to remind all of us once again, lest we drift astray, what the motion is because it is important. We are not here now to discuss Bill 68. That is specifically what has been denied us or what is in the process of being denied us by virtue of this motion.

The motion was moved by the House leader. We are going to talk about some of the other motions of the House leader in a few moments, but the motion was moved by the House leader on 3 April 1990. It said:

"That, notwithstanding any standing order or special order of the House, in relation to Bill 68, An Act to amend certain Acts respecting Insurance, two sessional days shall be allotted to consideration of the bill in the committee of the whole House. All amendments proposed to be moved to the bill shall be filed with the Clerk of the assembly by 5 pm on the first sessional day on which the bill is considered in the committee of the whole House. At 5:45 pm on the second of these sessional days, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the Committee of the Whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto and report the bill to the House. Upon

receiving the report of the committee of the whole House, the Speaker shall put the question for the adoption of the report forthwith, which question shall be decided without amendment or debate.

"That one further sessional day shall be allotted to the third reading stage of the bill. At 5:45 pm on such day, the Speaker shall interrupt the proceedings and shall put every question necessary to dispose of this stage of the bill without further amendment or debate.

"That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes."

That is once again today the motion that is being discussed. I will repeat so that I can focus my own comments, and as well perhaps focus the attention of others listening, on the issues, and the issue is this attempt by the Liberals to restrict debate over Bill 68.

In argument against that motion it is necessary to illustrate, among other things, the need for a period of debate well in excess of the unconscionably brief periods of time proposed in this motion. To illustrate that need, I have attempted in the last couple of hours to explain to the Speaker and to the members of this House how much and how widespread the opposition is across Ontario to Bill 68.

I suggest to members that is a valid observation in the pursuit of this debate about time allocation, because when there is widespread opposition in the province, that in itself calls out for complete debate in the Legislature. It is imperative that those persons and groups of people who have opposition to the legislation be represented in the course of the debate, that their opposition be articulated.

I know we cannot rely on the government members to do that. We cannot rely on the Liberals to articulate the interests of all those groups, all those hundreds and hundreds of groups that took the time to appear at the committee hearings, those brief committee hearings. I know that, because the government members, the Liberal members want to represent the interests of the insurance industry. I say the interests of the insurance industry; those in themselves take only a modest period of time to articulate, because those interests are to make profit, profit, profit.

A further illustration of the importance of this legislation and hence the reason for our opposition to this motion is the responses that have been flowing in from people all over Ontario, and their concern. I think it is not irrelevant. I really say this to the members, that it is not irrelevant to consider what the people in the community have to say, in this instance about time allocation, about closure.

Before we do that, though, let's spend a couple of moments reflecting on motive, the motive behind this motion. My position and the position of the New Democrats is that the motive behind this motion is to deny the opposition an opportunity to fight bad legislation. That suggestion was corroborated earlier today.

The members have heard me say more than a couple of times during the course of our discussions about the closure motion that Liberals are Tories too. If any better illustration is needed, the motion that the House leader for the Liberals made earlier today to deny the opposition the right to submit petitions, to deny every member of this House the right to tender bills for first reading, the motion that was objected to by the House leader for the opposition, the House leader for the New Democratic Party, and the point of order upon which the Speaker is reserving decision, that very same motion that the Liberals moved today to deny the right to petition and deny the right to present bills was moved earlier today by the Conserva-

tives on Parliament Hill in Ottawa, who wanted to ram through another bit of thoroughly unconscionable, unpalatable, abominable legislation: the goods and services tax.

#### 1550

The problem is that Liberals are Tories too. One is not sure whether it is Brian Mulroney acquiring all of his bad habits from the Premier, the leader of the Liberal Party, or whether it is the leader of the Liberal Party acquiring all his bad habits from Brian Mulroney. It remains that the motion that the House leader moved today, the one upon which the Speaker has reserved on a point of order by the House leader for the New Democrats, is one that was moved earlier today by the Conservatives in Ottawa. My, oh my, what a pattern that is. The desire to short-circuit debate, to scuttle debate, is echoed here in Queen's Park mere moments after it is spoken on Parliament Hill.

The same motivation for the House leader of the Liberals to move this time allocation motion motivated the government in Ottawa to that same closure motion and to restrict debate there over the GST. Liberals are Tories too. Again, I am speaking to the motion, but I want to illustrate here the motive. I want to state quite clearly that the reason this motion should be defeated is that the motive behind its having been moved is not to achieve the ends of time allocation as discussed in Beauchesne's and Erskine May.

Mr Chiarelli: On a point of order, Mr Speaker: With respect to this particular motion and the course of the debate to date, I would like to bring to the Speaker's attention some comments of Beauchesne's Parliamentary Rules and Forms, fifth edition, particularly on page 3, where it sets out "Principles of Parliamentary Law." Stated therein is the following quote, which is the responsibility of the Speaker: "to secure the transaction of public business in an orderly manner; to enable every member to express his opinions within limits necessary to preserve decorum and prevent an unnecessary waste of time."

Mr Speaker, I am going to submit to you that on a motion of this type, which is for an allocation of time, it is improper and against the principle of law to permit someone to do indirectly what he is not permitted to do directly. I suggest that upon a motion of this type, for an individual member to speak and have the floor for in excess of four days is an abuse of the rules and an abuse of the principles that I just quoted. I would ask the Speaker to consider, with respect, my comments and to please, in due course and with some warning to the speaker who has the floor, indicate that other speakers should be given the opportunity to have the floor to say what they want or conduct business in an orderly manner.

I make that submission with respect, Mr Speaker, and I would ask you to order on my request.

The Acting Speaker: The member is quite at liberty to quote from Beauchesne or anyone else that he cares to quote. The Chair is at the pleasure of the House, of course. While we look to the practices and precedents—and I suppose you are all mindful that the table officers have all been spending a lot of time with our friends Beauchesne and Erskine May these days. We are mindful of what the member has said, but even more mindful are we of our own standing orders. We are on a motion. There is no time limit in our standing orders for members to speak to a motion.

You may be right; there may come a time when the Chair may indicate that we sense that the debate has gone on too long or is repetitious or a number of other things, but the overriding

factor at the moment is that we are operating under standing orders which do not have time limits on this particular type of debate. I listened to the member attentively. I am mindful of Beauchesne, Erskine May and all those folks, but we do not have a time limit.

The government has put forward some motions and the government is at liberty to do so, so we will have to follow the practices and precedents of this House and this chamber. But foremost at the moment are our own standing orders, which do not have time limits on debate, nor is the Chair in the position at the moment to indicate to any member the contents of his or her remarks on the debate. For the moment, that is where it stands.

Mr Kormos: As I indicated, the significance of Bill 68 to the people of Ontario is, of course, of great relevance in determining the position that this Legislature ought to take with respect to the time allocation motion moved by the Liberal House leader. I want to help the members of this assembly in that regard by referring them to some of the recent commentaries we have received in my office from people across Ontario. I picked up a few of the telephone messages we have received.

Hello, Mr Speaker, what a pleasure to have you back with us. I was starting to explain before you came in here that of significance in determining how we ought to deal with the motion before us is the enormity of the proposition contained in Bill 68, the complexity of it and the impact of it on people across Ontario. That is trite to say. Illustrative of that, however, is the type of commentary that I know I am getting in my offices here at Queen's Park and down in Welland-Thorold at the constituency office from people all over Ontario, people who have great concerns about what Bill 68 is going to do to them.

As I say, I picked up a few off the pile of telephone messages, and I have to tell these people who phoned in with their comments that I very much appreciate their doing that. The number is (416) 965-7714. I appreciate your phone calls and comments, comments like the one from Mr McDonald in Kitchener. "Mr McDonald just called to say he likes watching you on TV and keep it up." I appreciate that.

There is one from Helen Driscoll in Scarborough. "Helen Driscoll just called in to say that all the seniors enjoy what you're doing." Ms Driscoll, thank you very much. We are going to keep on fighting for the rights of senior citizens in Ontario, including their right to have affordable auto insurance.

The Acting Speaker (Mr Cureatz): Order, please. We have a point of order from the honourable member for Niagara South.

Mr Haggerty: Mr Speaker, I draw your attention to the standing orders of the Legislative Assembly and I refer to the rules of debate under 19(4) where the member is being what you call repetitious and reading unnecessarily verbatim. The member is not discussing the issue in the chamber, but he is looking to the television, the audience out there. The next thing that will arise is that you will see donations perhaps coming in to the member for Welland-Thorold, and I would not know how he would accept those. So I draw to your attention that he is playing to the television instead of debating the issues that are before the chamber.

The Acting Speaker: The honourable member has very kindly brought to my attention that the member for Welland-Thorold is playing to the television. Unfortunately, there is no provision under our standing orders that it contravenes those standing orders. As a result, we will have to rule your point of

order not a point of order. But the honourable member for Yorkview has a point of order for me to adhere to.

1600

**Mr Polsinelli:** No, Mr Speaker, I do not have a point of order, but I thank you for being recognized. I move that, pursuant to standing order 9(c), the House sit beyond six o'clock this evening.

The Acting Speaker: The member for Yorkview has very kindly moved under the standing orders that the House sit beyond six o'clock. I have some grave responsibilities on that matter to relate to you; that is, unfortunately the member for Welland-Thorold has the floor at this particular point in time and unfortunately we will have to—not "unfortunately." It gives me a great deal of pleasure to allow him to continue with his debate.

The member for Yorkview with another point of order.

Mr Polsinelli: Mr Speaker, on a point of order: I merely stood in my place; I did not call for a point of order. You, having the chair, recognized me, and I indicated that I was not speaking on a point of order. I think that it was properly in order that I make the motion pertaining to standing order 9(c). I did not call a point of order when I stood up.

The Acting Speaker: I beg to disagree. I do not recognize your point of order. If I recognized you, it was only that I anticipated that you had a point of order. In terms of the specifics and you, as a learned colleague of the law, I can only relate to you my interpretation that the general intent would still be that the member for Welland-Thorold has the floor in anticipation of this debate that is about to continue.

**Mr Kormos:** I shall continue and I shall carry on with my argument in opposition to the time allocation motion.

We were in the process of thanking Mr McDonald from Kitchener and Helen Driscoll from Scarborough. I want to thank Vince Maloney from Kingston. He called in to say, "Peter, keep on doing what you are doing." He has been watching what is happening here at Queen's Park.

Mr Garrett from Mississauga watched TV yesterday. He was impressed. He totally agrees with the opposition. As he puts it, when he spoke to Mahoney, the only response he got was a sarcastic letter after he tried to make an inquiry of his representative regarding—

The Acting Speaker: I want to bring to the member's attention that those of us in this august place have been concerned about other members referring to them by their first names and their last names as opposed to by their ridings. I was wondering if you might be so kind in the future as to refer to members by their ridings.

Mr Kormos: I should thank you, Mr Speaker. As you know, I always make an effort to do precisely that. I am assuming that when Mr Garrett left a message saying he spoke to—all I can do is quote Mr Garrett. I do not refer to the member for Mississauga—

The Acting Speaker: Order, please. Now that you are on that topic, that has been of some concern to me personally, because I have had the opportunity of listening to a number of members in debate, one of whom is the member for Welland-Thorold. It has given me great concern in terms of references in the past debate that "Such-and-such has said that So-and-so is a liar."

10 APRIL 1990

After doing some investigations in Erskine May, with which you are quite familiar—and I know this evening after your debate is concluded, anticipating that you might continue on, you will look up that section—you cannot impugn, if you take a look, a particular member in terms of his dishonesty or whether he is of bad character or lying, either directly or indirectly.

By the same token, I think you are trying to come in the back door if you cannot get in the front door. Hence, I would ask you kindly to reflect on a person's constituency, as opposed to his name.

Mr Kormos: We are fortunate as an opposition that, with these Liberals, with their majority, they have any doors open to us at all. The fact is, that is what this time closure motion is all about. It is about shutting the doors, locking them, bolting them, making sure that the opposition is guillotined.

Well, Mr Garrett from Mississauga, I appreciate the phone call. Mr Speaker, I know you too appreciate the interest of the people across Ontario, people like Mr Garrett who are paying close attention to this debate, who may perceive that their inquiries to their own members of provincial Parliament result only in sarcastic letters. That is unfortunate, so we apologize in that regard to Mr Garrett.

I note not just phone calls, but a letter from John Jones of Don Mills, Ontario. Again, I think it is important what the public perception of a time closure or a time allocation motion is, when our consideration of time allocation is before us now.

John Jones from Don Mills writes, very congenially, "Hi, Peter." He says, "Please excuse the printing." He explains that he is an arthritic, a senior, has a little bit of a shaky hand. He writes: "At two minutes of six of the clock on 4 April, you held a book in your hand. Would you please give me the complete title, author and publisher?" I will be sending Mr Jones the references, the citations that I made to Erskine May and to Beauchesne.

I wonder if we could have a page up here, Mr Speaker. Again, I did not write this letter and I am submitting it to you so that you can vet it, if need be, because Mr Jones makes some references about the Minister of Financial Institutions there—I would be quoting his letter and it is not anything that you have not read in some of those racier novels you pick up at the drugstore—but I am loath to repeat that. May I, Mr Speaker?

Interjection.

Mr Kormos: You have vetted it then and I will vet it further. Again, bless Mr Jones for taking the time to write. He says, "I wrote a letter to the Minister of Financial Institutions," who is named by Mr Jones, "giving him"—I trust I am to delete that particular expletive, but he gave it to him in that letter. At least, it did not hit the fan. But he gave it to him in the letter for using a five-star resort for a committee meeting. "He said the members needed a change. He did not answer. Next time tell them to use an outhouse. Thanks, John Jones."

Again, I thank Mr Jones for taking the time to write. People across Ontario have strong feelings about this time allocation motion. There are no two ways about it. I think it is incumbent upon each and every member of this Legislature to take into account public awareness of the time allocation motion and public attitudes towards the time allocation motion because, really, the ultimate test of whether that motion is appropriate and whether it ought to be passed by the Legislature is what the general public perceives things as being. Is that not fair to say, Mr Speaker? I know that you would tend to agree with me in that regard.

We have phone calls coming in and we have letters coming in. There is an interesting letter from David Helmer of Delhi, Ontario. Mr Helmer would not know this, I bet most people here would not know this, but Delhi is something dear to me because I spent a lot of time there as a kid. My grandparents were tobacco farmers in Delhi, immigrants from Belgium who worked all of their working lives as tobacco farmers and lived all of their lives in Delhi. It is a great part of Ontario.

Again, this is illustrative of the opinion of communities and members of communities across Ontario, not just in the south, but in the north; not just in the west, but also in the east. Mr Helmer writes, "I have been watching you for some time on our local cable TV." I apologize for the length of time it has taken to deal with this time allocation motion. It is unfortunate that the motion was moved by the House leader and that it calls upon all members now to undergo a thorough debate of the time allocation motion, because the consequences are so serious, are they not, Mr Speaker?

What we have in this motion is a hamstringing, a guillotining of democracy and parliamentary procedure. We have an entirely premature motion, because we are going to talk about what Erskine May and Beauchesne have to say about that in just a little while.

#### 1610

Mr Helmer writes, "I have been watching you for some time on our local cable TV channel and I feel that I should congratulate you on your heroic efforts." Honest to goodness, he wrote that. I have never met Mr Helmer before. "I realize that you are not my representative, but mine never seems to be visible, except at election time." That is what Mr Helmer writes from Delhi, Ontario.

"You have stated that you are the newest member of the Ontario Legislature." I am not going to repeat what he says there because I would only embarrass myself. But I appreciate the comments.

Interjections.

Mr Kormos: There you go, Mr Speaker. I feel compelled to read it now. The members insist that I read it. It is with my reluctance. Here I am, they are dragging me kicking and screaming to the point where—I am not usually like this.

What he writes is: "You have stated that you are the newest member of the Ontario Legislature. Well, judging by your performance, we need more new members." Do the members want to know something? After the next general election, in view of the fact that so many Liberals are going to support this time allocation motion and are going to be supporting Bill 68 subsequent to it, there is going to be a whole lot of new members here in the Legislature.

Mr Kormos: "Judging by your performance, we need more new members." This is the part I did not want to read, until the Liberal members forced me to. "Those other members, with the exception of a few, seem to be asleep on their wallets," the wallets with the insurance company donations in them. "I would like to take this opportunity to thank you for keeping the Liberal government on their toes. Keep up the good work. It's members like you that make me proud to be a Canadian." Mr Helmer, I appreciate the comments. You are too kind.

He goes on to write that the debate on Bill 68 is of much concern to him. He talks about licensing and he writes that he heard me refer to the matter of this government having done virtually nothing to change the standards for new drivers in the last, let's say, 40 years. Really, when we get down to the nitty-

gritty, this is what Ralph Nader tried to tell the Minister of Financial Institutions. This is what we want to talk to the minister about during the course of committee-of-the-whole discussion of Bill 68. That is why we need more than a mere two afternoons, or two mere afternoons; two short ones, in any event.

That is why this motion is entirely inappropriate and not to be rejected by the members of this assembly. If they do not, they will be rejected by the electorate of Ontario. There are people here today. There are people like Charles Harnick, who is not a member of my party, who is not a New Democrat, who ran unsuccessfully in the last general election and was unsuccessful in his bid to win the seat of Willowdale.

What do I tell the members? Had he been elected, he would not be supporting Bill 68. I know that. Harnick would not be supporting Bill 68. The people of Willowdale may well reflect on that in the next general election. They may well take stock of who is supporting this time allocation motion and who is fighting it; who is supporting Bill 68 and who is fighting it.

Mr Helmer concludes, in his letter from Delhi, Ontario: "In conclusion, I would like to thank you for your constant efforts and to encourage you to keep punching. Some people are interested and are watching. I just wish more could be aware of what is going on in Ontario." A whole lot of people are real aware of what is going on in Ontario. Mr Helmer writes from Delhi, Ontario.

What is so important about making reference to these phone calls and letters is that they are from all over Ontario, are they not? They are from ridings that are currently held by Liberal members—for the short term—they are from ridings that are held by Tories and they are from ridings that are represented by New Democrats.

From Lively, Ontario—is that not a wonderful name for a community—Faye Simmons writes to her MPP, the member for Nickel Belt. She does not address it to the member for Nickel Belt; she addresses it to his Christian name and surname. She writes "Dear," and she does not call him "Dear Member for Nickel Belt."

Interjection.

Mr Kormos: That is right. In New Democratic ridings the constituents are familiar enough with who represents them that they do not have to write "Dear Member"; they can write "Dear First Name" and "Dear Last Name."

"I would like to add my name to the protesters against no-fault insurance." That is what Ms Simmons writes. "The whole concept of no-fault upsets me as it will penalize the good drivers and take away personal responsibility from the bad drivers."

Some people suspect there is no order to my commentaries. Catch this, Mr Speaker, because what this does is lead into the next stage of our discussion this afternoon. That is why I want everybody, please, if they will bear with me, to listen carefully.

"I am willing to trust the word of a retired Supreme Court justice with 60 years' experience in insurance law that this will be a bad law. Thank you for your help in making your constituents' views known." Remember what she said in her letter, "I am willing to trust the word of a retired Supreme Court justice with 60 years' experience in insurance law that this"—Bill 68—"will be a bad law. Thank you for your help in making your constituents' views known." It is signed, "Faye Simmons."

Then she writes, "The judge is Edson Haines."

I just happen to have a copy of the letter that Mr Justice Haines wrote to the Minister of Financial Institutions. What we have is a most honourable, learned gentleman who has sat on the Supreme Court trial bench for many years. I do not know, Mr Speaker, whether you are too young to have ever appeared before Mr Justice Haines. I know I never had the opportunity.

An hon member: I did. I appeared before him twice.

Mr Kormos: There may well be some people here who appeared in front of Mr Justice Haines not as counsel but in other capacities.

Mr Justice Haines—who is not a young man, but a great man, a great member of our provincial community—to his great credit, is by no means prepared to abandon his responsibilities to his community. Mr Justice Haines took time to prepare one of the most thorough and complete analyses of Bill 68 that has been prepared since Bill 68's birth, if indeed one can call it a birth.

The sad thing is—and this illustrates once again why it is so important to defeat this motion—that Mr Justice Haines's analysis and critique of Bill 68 did not even receive short shrift by the standing committee on general government during its short tenure considering Bill 68. That is exactly why it is necessary for this Legislature to have thorough, complete, full discussion on a clause-by-clause basis of Bill 68 in committee of the whole and then to be permitted to have a reasonable period of time for debate during third reading.

#### 1620

Among other things, the Bill 68 that is before the Legislature now bears some remarkable differences from the Bill 68 that was tossed about by the Minister of Financial Institutions back at first reading, in October 1989. What I am going to do later, so those people should bear with us for awhile, is make some reference to what the Minister of Financial Institutions said back in October 1989 about Bill 68. I kept a copy of his speech. I suspect that most other copies have been burned by now, perhaps at the instructions of the minister himself, but I kept a copy. I hid it away knowing that we might have to refer to it, and I will refer to that.

But right now, Ms Simmons from Lively, Ontario, has written to her MPP expressing disapproval of Bill 68 and making reference to her reliance on Mr Justice Haines's analysis of Bill 68. And in my effort to illustrate, through you, Mr Speaker, to the members of this Legislature, how important it is to fight against and vote against time allocation, I want to tell you exactly what Ms Simmons is talking about. That is going to require some reference to the letter composed by Mr Justice Haines and sent on 8 January 1990 to the Minister of Financial Institutions.

Once again—and this is where it is so important; it is impossible to place enough emphasis on this, on this feature of this whole debate—that letter from Mr Justice Haines was copied to all members of the Legislative Assembly. Some were more ready to acknowledge it than others, because of exactly what it said and because the fact remains that what is contained in it is really beyond dispute. The other sad thing is that Mr Justice Haines was not invited, so far as I am aware, to appear before the general government committee. Does it not go beyond unreasonable to have rejected the valuable views of such a learned person? We are talking about no charge, no feed free to the government. We are talking about an analysis of the law of Bill 68 that is beyond reproach. Again, Mr Justice Haines has no axe to grind. He is not practising law; he is retired. He is a retired judge, for Pete's sake.

Interjection.

10 APRIL 1990 493

Mr Kormos: I just heard a comment by way of an aside from a member. I will not repeat it, but I apologize to Mr Justice Haines for what was said about him. He deserves better than that. Although people may, if they wish, disagree with him, you do not respond to people of his stature with cheap, stupid shots. I am pleased that the comment will not have made it to the record, and I am pleased that it did not come from an opposition member, or else I would be even angrier than I am now about that type of cheap shot.

In any event, let's take a look at the analysis of Justice Haines. Why? Because we are not here to discuss Bill 68, are we? We are not here to discuss Bill 68; we are here to discuss a time allocation motion. But in consideration of the time allocation motion it is important to understand how complex the argument is about Bill 68, is it not? Because that is what will enable us to determine whether two short afternoons of two hours each, perhaps two and a half hours, is a sufficient period of time in which to consider all of Bill 68 on a clause-by-clause basis.

Mr Justice Haines is but one of the commentators, along with many others, who provided analysis and insights that are valuable in this Legislature's consideration of Bill 68, that must be considered, and that, finally, any fair-minded legislator would insist upon being considered during a course of debate either in committee of the whole or on third reading.

Do not forget, Mr Speaker, Mr Justice Haines's analysis was not prepared at the time of second reading. It could not have been of assistance or of guidance at the time of second reading. That is why it is important that time be permitted for its utilization during the course of discussion at committee of the whole and on third reading.

Mr Justice Haines, in his 8 January 1990 letter to the Minister of Financial Institutions, writes that: "It is not usual for judges of the Supreme Court to write ministers of the crown concerning proposed legislative changes to our law. However, as a retired judge of the court, the privilege would appear to be restored. What prompts my letter is Bill 68 and the current draft regulations; together packaged as the Ontario motorist protection plan."

So Mr Justice Haines prefaces his commentary in a most appropriate way. Although he does not have to justify them to me, he goes on to basically explain what his qualifications are. He writes that: "My interest in writing you may be evident from my background. Until my appointment to the Supreme Court trial division in 1962"—is that not remarkable—"I had, since 1927, been a member of the Ontario bar engaged in practice devoted largely to the processing of automobile personal injury claims; acting on behalf of many of the leading insurance companies as well as injured claimants."

Can members believe it? We are talking in 1990 about a gentleman who has been practising at the bar from 1927, 63 years ago, sitting as a member of the bench after his call in 1962. We are talking about an incredible wealth of knowledge and expertise being made available to each and every one of us. The government spent \$250,000 on its secret studies in 1989 so that it would know how much new profit the insurance industry was going to make when Bill 68 was passed, \$250,000 of taxpayers' money; at least that is what we were told by the government. Lord knows, I hope that figure is accurate and it was not any more than that. But here is Mr Justice Haines, 63 years since he has been called to the bar, appointed to the bench in 1962, and it is a matter of no charge. This analysis is basically a professional courtesy on the part of Mr Justice Haines, a gentleman who prefers to continue to fulfil his sense of responsibility to his community, notwithstanding that he is not getting paid for it, notwithstanding that he does not have an axe to grind; he is retired.

To boot, here is Mr Justice Haines whose experience at the bar has been to a large extent with personal injury claims, both as a defence counsel acting for the insurance companies and for innocent injured victims who need a little bit of clout when it comes to fighting big, wealthy, powerful—politically powerful, too—private, corporate auto insurance companies.

He goes on and he indicates that his involvement as a member of the bar dealing with personal injury claims continued during 20 years on the bench. In addition to that, upon his retirement in 1982, he writes that he remained active as a commissioner at pre-trial, assisting in the settlement of over 1,000 cases until final retirement in 1987. Here is a gentleman who, with his expertise, has assisted in the settlement of over 1,000 cases in those five years subsequent to his retirement from full-time on the bench.

#### 1630

Mr Justice Haines writes:

"It has been a source of pride, at the end of my 60 years of experience, to look back and telescope forward all of the changes to our system of accident victim compensation. As a caring society," he writes, "we have developed a great host of protections to help people, injured through no fault of their own, to achieve reasonable compensation. The principles of compensation, assiduously developed over the last half century through the combined efforts of the bar, the bench and the Legislature, as well as the insurance industry, have served the public well."

He refers to us in the province of Ontario as a caring society. I am concerned that Bill 68 would show the rest of Canada and perhaps the rest of North America that we are not the same caring society. That is exactly what Ralph Nader had to say, that people in the United States—

Mr Pouliot: On a point of order, Mr Speaker: One more time, indeed words of wisdom, food for thought for each and every one of us. Unfortunately, embarrassment seems to have one more time forced the Liberals not to attend. I therefore request, with high respect—the House is not duly constituted—a quorum call.

**The Acting Speaker:** The honourable member has indicated there is a lack of members.

Clerk Assistant and Clerk of Committees: A quorum is present, Mr Speaker.

The Acting Speaker: The honourable member brought to the Speaker's attention that there was lack of a quorum. It has been brought to my attention there is a quorum.

Mr Kormos: We were talking about Mr Justice Haines's commentary about Bill 68 and how important that is to recognizing that this time allocation motion is entirely inappropriate, because there is simply no way that a matter of such magnitude and impact as Bill 68 can be discussed anywhere close to appropriately in that unconscionably brief period of time that the Liberals would impose upon us—not just on us, not just on the opposition, on the people of Ontario. That is what it is all about.

We were talking about how Mr Justice Haines prefaces his one statement by saying that as a caring society, we have developed a system wherein victims are compensated. We are talking about legislation, we seek the opportunity to debate legislation, that reflects an uncaring society. It certainly reflects an uncaring government, because it is legislation that takes compensation away from innocent injured victims. We know

that now. We know that if Bill 68 is passed, 95 per cent of all innocent injured accident victims will receive not a penny in compensation for pain and suffering or loss of enjoyment of life.

It is not a caring society that passes legislation like that. It is not a caring government that would want to impose legislation like that. It is an uncaring government that would impose legislation like that on the people of Ontario, on the drivers, on the taxpayers, on the innocent injured victims. So we in the opposition are impressed by Mr Justice Haines's comment that what happened in the last half century happened as a result of there being a caring society.

Mr Justice Haines goes on—of course he does—"Based on those acknowledged principles, the majority of compensation claims are settled directly between insurance adjusters and the injured victims or their lawyers."

Wait a minute. Perhaps we are starting to understand, even before we get to the end of page 1 of Mr Justice Haines' letter, why the Liberals would seek to bury this letter, why the Liberals would seek to deny this analysis, because we are starting to see some of the criticisms and some of the contradictions of the myths that the Liberals are trying to generate to justify Bill 68, are we not?

I mean, right off the bat, right at first instance, Mr Justice Haines tells us—based, do not forget, on personal injury work since 1927; 63 years ago Mr Justice Haines started practising law. In 1962 he was appointed to the bench and he indicates that most of his trial work is in this very same type of work, and from 1982 through to 1987, his final retirement, he participated in some 1,000 pre-trials wherein he effected or aided in the effecting of settlements. Based on his familiarity with them throughout a long and distinguished career, he finds that the majority of compensation claims are settled directly between adjusters and the injured victims or their lawyers.

Well, we knew that too. We knew that only the smallest minority, perhaps no more than three per cent of all cases ended up in litigation. We knew that 97 per cent of all claims were settled without courts; no two ways about it.

If the innocent injured victims were required, as Bill 68 would tend to require them, to deal with their insurance companies or with the faulty party's insurance companies without the help of a lawyer, as often as not they would be denied what is rightly theirs. That is why the lawyers are there, but the fact is that some 97 per cent of all claims are settled without litigation. Although Mr Justice Haines in his letter does not speak of percentages, again, he speaks of the majority.

Then he goes on to speak of the rest. He speaks of where litigation is involved and he writes:

"Where litigation is involved"—again, listen carefully to this, Mr Speaker, and I suspect that your own experience as a litigation lawyer has led you to similar conclusions—"the overwhelming majority of claims are settled without a trial."

Not only are the vast majority settled without litigation, but even once litigation is involved, the vast majority are settled without even a trial.

"Those cases actually tried"—and here Mr Justice Haines relies upon his wealth of experience, his abundance of experience, to cite a statistic, to cite a figure—"are less than one per cent"—the cases actually tried are less than one per cent—"and the results, whether judge or jury, reinforce the conclusion that assessments are not excessive but fair and reasonable."

I am going to interject for just the briefest of moments, because we are going to talk about Mr Justice Barr's analysis of Bill 68 later. I do not know whether we will get to it this week

or whether it will be some time next week or the week after. We are going to talk about Mr Justice Barr's analysis later, but Mr Justice Barr, I should tell you, who did appear in front of the committee, on his own initiative—again, a retired judge of the Supreme Court of Ontario; again, a gentleman whose personal practice involved a great number of personal injury cases—indicated to us—

I have spoken before about how it was with some embarrassment that even during the general government committee's sittings, the opportunity for individual persons to make submissions was so seriously abbreviated, reduced down to a 15-minute slot of time. Mr Justice Barr came to that committee and was somewhat rudely told that he had but 15 minutes to address the committee.

#### 1640

Mr Wildman: Rudely.

Mr Kormos: Rudely told that he had but 15 minutes to address the committee. I tell members, I was embarrassed for all of us that such a fine person as Mr Justice Barr who takes time out of his schedule would be dealt with in such a brusque way.

We pleaded with the Liberals on the general government committee to permit more time for submissions from interested persons. The Liberals refused. We pleaded with the Liberals to sit into the evenings so that working people, people who had real jobs and had to be at work during the day, could make submissions to the committee. The Liberals refused. They refused, they refused, they refused. We pleaded with the Liberals on that general government committee to at least sit Monday mornings. They were being paid for it, but they refused to sit Monday mornings. They refused, they refused, they refused, they refused.

Mr Justice Haines's commentary—and as I say, Mr Justice Barr's, who had appeared before the committee—was that in his years on the bench hearing personal injury actions involving motor vehicle accident claims, he could not recall a single case wherein liability was difficult to determine—not a single one. He said liability was the easiest part. Determining fault was the easiest part and the least contested part.

He said on the matter of quantum of damages, in other words, how an innocent injured victim is compensated, it required perhaps a little more attention and a little more argument, but it is that compensation, it is that compensation for pain and suffering and loss of enjoyment of life, that the Liberals propose to take away from innocent injured victims, at least 95 per cent of them, by virtue of the threshold contained in this legislation, the threshold contained in Bill 68. Such an onerous bit of legislation we have hardly seen before, one which requires full consideration, full and thorough debate, and one which should compel us to reject this motion before the House now, this motion for time allocation.

Mr Justice Haines goes on, after talking about how in the one per cent of cases that are tried, indeed less than one per cent of the claims result in trial, "Their results...reinforce the conclusion that assessments are not excessive but indeed fair and reasonable."

Mr Justice Haines writes, "Compatible with the tort system," Ontario introduced a significant range of no-fault benefits." Mr Justice Haines knows that we have had no-fault insurance in this province for a long time now. He writes that in his letter, something that the Liberals would try to deny, part of the mythology that the Liberals have tried to generate to make this most distasteful bill, this most distasteful legislation, palatable

to the people of Ontario. The people have not bought that bill of goods by a long shot.

The mythology that the Liberals have tried to generate is directly contradicted in this statement by Mr Justice Haines, "Ontario introduced a significant range of no-fault benefits"—but here is the interesting part, Mr Speaker, one that I know you will find as interesting as all of us did who read this correspondence—"whose shortcomings lay mainly in the lack of indexing, to overcome a problem of inflation that remains entrenched to date."

We have had no-faults in Ontario for a long time now.

Mr Faubert: Nothing new about your speech either.

**Mr Kormos:** That is what Mr Justice Haines says in his letter to the minister. There is nothing new about no-faults. There is nothing appropriate about calling Bill 68 no-fault insurance.

What is the same is that, just as the no-fault benefits introduced years ago have been rendered inadequate by the passage of time, the problem of inflation and by virtue of the lack of indexing, so are the no-faults contained in the no-fault schedule in Bill 68 similarly unindexed. They will similarly erode through the passage of time and similarly suffer from inflation. There is nothing new about no-faults. The shortcoming that existed back a decade and more ago which Mr Justice Haines writes about exists right now, today, because the Liberals would not even index the no-faults in their threshold insurance system.

One of the Liberal members here interjected a few moments ago, "What about Osborne?" That is what he said. We address him as Mr Justice Osborne, okay? Members do not refer to a judge of the Supreme Court as Osborne, please. We call him Mr Justice Osborne, especially when we are speaking about the gentleman in the Legislature. If people in the community see disrespect for judges from the members of the Legislature, what does that do to our whole justice system? Please, Mr Justice Osborne, okay?

In any event, Mr Justice Haines talks about Mr Justice Osborne. That is in response, and it is timely, to the Liberal member who hollered out "What about Osborne?" I am sure he meant, "What about Mr Justice Osborne?" or the Honourable Judge Osborne, as you wish.

In any event, in a letter from Mr Justice Haines to the Minister of Financial Institutions—and once again, I go through this to illustrate to you, Mr Speaker, and to members of this Legislature how complex the whole matter of Bill 68 is and that this complexity compels us to reject any concept of time allocation. It compels us certainly to a lot more than a mere two couple-of-hour afternoons of committee of the whole discussion. Surely nobody from the Liberal ranks is going to honestly submit that that is a sufficient period of time. Not a single member of the Liberal ranks can be honest and say that.

"Mr Justice Coulter Osborne, in his inquiry report, recognized the need and the solution with these observations"—here Mr Justice Haines refers to the report prepared by Mr Justice Osborne:

"I should make it clear at the outset that were the tort system alone to be a compensation option, I would reject it out of hand. There is, however, room for peaceful"—here is the important part—"co-existence between tort and no-fault."

That is what New Democrats advocate. That is what the systems in British Columbia, Saskatchewan and Manitoba are all about. They are about good, healthy no-fault benefits, along with the right of every single innocent injured accident victim to be compensated for that pain and suffering and loss of enjoy-

ment of life and the right, if need be, to have access to a courtroom to enforce that right.

What Bill 68 does is it takes away from 95 per cent—let's face it; that is just five per cent short of all innocent injured accident victims—the right to be compensated for pain and suffering. You are talking not a penny, not a cent, for those innocent injured accident victims, 95 per cent of them. It takes away from them the right to be compensated, the right to be compensated for the pain and suffering they endure, for the loss of enjoyment of life, and indeed for economic loss.

#### 1650

It is not a system that is fair. It is not a system that can be talked about in two brief afternoons. It is a system that punishes victims, that punishes innocent people who suffer pain, who suffer loss of enjoyment of life, who suffer economic loss for which they will never be compensated if Bill 68 is passed by the Liberals here at Queen's Park.

The motive for the House leader's motion is to suppress any meaningful discussion of Bill 68, of what it means to people in Ontario and of what the options are, because the options are really rather clear. Once again, we in the New Democratic Party have not been stingy with our solution. We are quite prepared to share a solution to the insurance crisis in Ontario with the Liberals. We believe in a public, driver-owned, non-profit auto insurance system, one that has strong no-fault benefits and one that also provides compensation for all innocent accident victims and ensures that they will have the right to use the courts, if need be, to enforce that compensation.

Now look what Mr Justice Haines highlights from the report of Mr Justice Osborne on automobile insurance in Ontario:

"There is, however, room for peaceful co-existence between tort and no-fault. Humane rehabilitation and long-term care can be provided on a no-fault basis. Death benefits, reasonable income replacement benefits, homemakers' benefits and provisions for child care can also be provided on a no-fault basis. This can be done at a reasonable cost and without eroding the values inherent in tort law which I view to extend beyond the perimeters of compensation and deterrence."

Where do no-fault benefits come from? We are proud, as New Democrats, to say that we are the people who fought in this province as well as in the other provinces out west to establish no-fault benefits for accident victims. We will fight as hard to retain the right of innocent accident victims to be compensated for pain and suffering and the loss of enjoyment of life, a right that the Liberals will take away if Bill 68 is passed.

If Bill 68 is not permitted to be discussed and debated in full, every clause, every section, if the time allocation on the floor at present is passed, there will never be a complete consideration of Bill 68 and there will be a seizure, not just a carrying away, but a wrenching away of rights from each and every person here in the province of Ontario.

Mr Justice Haines goes on to say this:

"Ontario has the finest system of compensating motor vehicle victims in Canada and the United States. It is the envy of all. May I paraphrase the thoughts of Justice Osborne by suggesting to you that in the world of 'judicial' free trade we have an accident victim compensation system that should be exported throughout the world. What Bill 68 represents is a cheaper imitation of the Michigan no-fault system which, as an import, has found virtually no acceptance in any other jurisdiction beyond our border."

That is what Mr Justice Haines says about Bill 68. I am going to repeat that: "What Bill 68 represents is a cheaper imitation of the Michigan no-fault system which, as an import, has found virtually no acceptance in any other jurisdiction beyond our border."

No wonder the government was not eager to see Mr Justice Haines's analysis of Bill 68 carried forward. No wonder the government does not want to see a thorough debate about Bill 68. These are the very sort of points that will be raised during committee of the whole and on third reading unless debate is suppressed and indeed destroyed by virtue of this time allocation motion.

Mr Justice Haines goes further: "If the proposed amendments are adopted into law, Ontario will lose its leading position in the compensation of accident victims and go to the bottom of the heap." If this bill is passed, Mr Justice Haines is telling us, Ontario will lose its leading position. If the Liberals ram this through, Ontario will lose its leading position and go to the bottom of the heap. "Reduced to basic terms, the threshold proposed wipes out that hallmark principle of a civilized society enunciated over a century ago by Lord Blackburn and followed ever since."

We are talking about what this insurance is all about. It is all about threshold insurance, is it not? What is that hallmark principle? Mr Justice Haines refers to it in his correspondence and he writes, quoting Blackburn: "... where any injury is to be compensated by damages, in settling the sum of money to be given for reparation of damages, you should as nearly as possible get at the sum of money which will put the party who has been injured, or who has suffered, in the same position as he would have been in if he had not sustained the wrong for which he is now getting his compensation or reparation."

That was an accurate presentation of what compensation meant to innocent injured people 100 years ago when Lord Blackburn first enunciated it and it remains as valid a statement now in 1990. Mr Justice Haines used that as an embarkation point to take a look at Bill 68.

It is precisely these criticisms of Bill 68 that would be part of a meaningful debate, that very debate that the Liberals with this time allocation motion would seek to suppress, indeed eliminate. They do not want debate. The Liberals do not want debate on this issue. They were not prepared to debate it in the standing committee on general government. They scuttled that committee. They turned that process into a sham by using their majority; by displaying their arbitrariness and indeed arrogance; by conducting themselves in as supercilious a manner as any government has ever acted.

Maybe the Premier of Ontario is contemplating the fall of 1990 for an election. As it is, that is a relatively short period of time since the last general election. Let's go in June and have a general election in Ontario on the issue of auto insurance. Let's go to the ultimate jury; let's go to the people of Ontario. If the Liberals in this Legislature really believe that the people of Ontario want Bill 68, let's go to them with it.

The Liberals have been as uncomfortable in the last week and a half as they have been in a heck of a long time, and the reason is that their introduction of a time allocation motion has focused the attention of people across Ontario on Bill 68. The Liberal motion for time allocation—a Liberal motion for closure, for the guillotine—has focused attention from across Ontario on Bill 68. The Liberals know that they are not just in hot water, but that the water is deep too. I say to them: "Let's go to the electorate with auto insurance. Call an election."

1700

Interjections.

The Deputy Speaker: Order, please.

**Mr Kormos:** Call an election. We will let the people of Ontario decide.

Interjections.

The Deputy Speaker: Order, please. The member for Welland-Thorold.

Mr Kormos: Thank you very much, Mr Speaker. There are things that have to be said about this time closure motion and, as an essential part of that, about Bill 68, things that simply have to be said, and we have every intention of saying every one of them.

Let's go to the electorate. The Liberals should call an election. These Liberals should tell their leader to call an election. Let's have it in June and let's fight it on the issue of auto insurance because, as it is, the Premier of Ontario wants to call an election, let's say, for the fall of 1990. It is no more required in fall than it would be now. The mandate is still alive and well, except that, just like Charlie getting a second opinion, the people of Ontario insist on one now in any event.

I will tell members what is going to happen very soon and, once again, this very much goes to the whole matter of this time allocation motion, this closure motion, this guillotine. The Liberals know that public opinion is just horrendously opposed to Bill 68. They know that and if they did not know it before, they knew it after I read them the data a few days ago which showed that the overwhelming majority of people in Ontario oppose the government's insurance scheme. They know that it is only going to make big profits for the auto insurance industry. The Liberals know that.

They also know that public opinion is very much against a party and a government that would suppress debate, a party and a government that would impose closure like their brothers and sisters, the Tories at Parliament Hill, who want to impose closure on the opposition there when it comes to discussion about the GST. That is exactly what these Liberals want to do here at Queen's Park. They want to do what their Tory clones on Parliament Hill have done time and time again. The Liberals at Queen's Park are doing it time and time again as well. That is number two.

Number three—

Interjections.

The Deputy Speaker: Order, please.

Mr Kormos: You know, Mr Speaker, these guys talk about getting in the back door when they cannot get in the front door. Let me tell you what they are doing. They know that they cannot win on the auto insurance issue. They know that they cannot win on the closure issue.

Interjections.

The Deputy Speaker: Order, please.

Mr Kormos: Thank you, Mr Speaker. Do you know what the next bit on their agenda is going to be? The next bit on their agenda is going to be to suggest that by virtue of the debate that is taking place on this time allocation motion, Bill 68 is being delayed and the community is somehow suffering as a result of that. Every day that Bill 68 is delayed, you have more drivers in Ontario who are driving without facing the up to 50 per cent

497

premium surcharges that Bill 68 is going to create. The Minister of Financial Institutions promised that.

Every day that Bill 68 is delayed, we might permit one or two or three or four innocent injured accident victims to collect the compensation for pain and suffering and loss of enjoyment of life that they are entitled to. For every day—

Interjections.

**The Deputy Speaker:** Order, please. The member for Niagara South, order, please.

**Mr Kormos:** For every day that Bill 68 is delayed, the taxpayer in Ontario does not have to pay out the subsidy to the insurance companies that Bill 68 will require.

The Liberals are going to try to get in the back door when they cannot get in the front door. They know they cannot argue and debate Bill 68 dead on, which is what this time allocation motion is all about. They cannot face the music when it comes to Bill 68. They want to run from the truth. It is true. When it comes to time allocation, look at their response. Are they eager to get involved in the debate over time allocation? No. They are eager to call the question. These guys want to call the question. They do not want to see a full and thorough debate take place.

That is shameful. At some point more mythology is going to be generated by the Liberals, that if Bill 68 is delayed something bad is going to happen. I tell you, Mr Speaker, the longer Bill 68 is delayed, the longer the taxpayers are safe from the greedy paws of the Liberal government. The longer Bill 68 is delayed, the safer innocent injured victims are, in that they will still be entitled to compensation for pain and suffering, compensation that will be denied them by the Liberals once Bill 68 is passed. The longer Bill 68 is delayed, the more protected people are from the 50 per cent premium increases that Bill 68 is going to carry with it. That is one of the promises the Minister of Financial Institutions will keep, I am sure.

Let's take a look at what Mr Justice Haines says about Bill 68, because that is exactly what the Liberals do not want to debate in the course of committee of the whole or during third reading. Mr Justice Haines says this in his analysis of it, something that the government has avoided, something that the Minister of Financial Institutions has avoided. He has tried to suppress, he has tried to bury this particular critique. Let's look at an example and let's look at the threshold, because that is what this insurance is all about. It is all about being threshold insurance.

Mr Justice Haines says this, "Now let's look at the plight of the car accident victim under the proposed plan." That is under Bill 68, this so-called Ontario motorist protection plan. This plan is going to protect the profits of insurance companies in a way they have never been protected before in their corporate lifetimes.

What does Bill 68 do according to Mr Justice Haines? Again, we are prepared to debate this. We are prepared to have an exchange about this. It is the Liberals with this time allocation motion who want to deny us any opportunity to engage in that very exchange.

Mr Justice Haines says that Bill 68 "takes away the right to receive compensation beyond no-fault benefits except in the case of (a) death; (b) permanent serious disfigurement; or (c) permanent serious impairment of an important bodily function caused by continuing injury which is physical in nature."

Interjection.

**Mr Kormos:** I appreciate that. I better run through that one again.

This is the threshold: death, permanent serious disfigurement or permanent serious impairment of an important bodily function caused by a continuing injury which is physical in nature. Mr Justice Haines writes that, "Under this plan, people with disfigurement, which is permanent but not serious, or if serious but not permanent, will get no compensation for it." My goodness, that is true.

What the Liberal Party in Ontario proposes and what the insurance industry in Ontario wants is that people who are disfigured, innocent victims who are disfigured where the disfigurement is permanent but not serious, or if serious, not permanent, then those people will get no compensation for it. Innocent injured accident victims will not get a penny of compensation.

#### 1710

10 APRIL 1990

Mr Justice Haines goes on, "If the evidence is that a series of painful plastic surgical operations over several years will make the permanent disfigurement no longer serious, then there will be no compensation for that disfigurement."

I am going to refer to what Mr Justice Haines just said about this threshold. I am going to refer to what he said about the threshold one more time. "If the evidence is that a series of painful plastic surgical operations over several years will make the permanent disfigurement no longer serious, then there will be no compensation—none. That is what the threshold does.

"A moment's thought," Mr Justice Haines writes, "will show how few injuries will pass the proposed threshold. To qualify, injuries must meet all of the following: (a) an impairment of a bodily function; (b) the impairment must be permanent; (c) the impairment must be serious; (d) the bodily function must be an important one; and (e) the injury must be physical and not mental or psychological in nature." Mr Justice Haines says "a questionable if confusing semantic distinction with frequently little medical merit."

This threshold is more onerous than the threshold utilized in the state of Michigan. This threshold is the most draconian, most onerous, most compelling threshold that has ever, ever been imposed upon any public in any jurisdiction.

Mr Justice Haines says, he questions, he queries, "What does it all mean?" His response: Mr Justice Haines, sitting on the trial bench for some 20 years, participating in successful pre-trials for five more years, a member of the bar in Ontario since 1927, looks at this threshold and says "What does it all mean?" He answers, "I believe it will be a quagmire. My experience tells me that Bill 68 imposes a 'catch-22' test that will abolish the existing rights of compensation for all but a handful of injured people." It is worth repeating, is it not? It is worth repeating. "Bill 68," Mr Justice Haines says, will impose "a catch-22' that will abolish"—end, abolish, eliminate—"the existing rights of compensation for all but a handful of injured people."

Mr. Justice Haines goes on: "Possessed of the motoring public's premiums and an ability to search out and retain legal and medical experts in large numbers, insurance companies will not hesitate to constantly challenge injured victims that their injuries are not physical, but rather they are psychological or mental; that, even if they are physical, they are not serious; or, that if serious, they are not permanent; or, that finally, if permanent, they have not been, or will not be, continuously serious. Mr Justice Haines writes, followed by an exclamation mark, "What a mess!" It is exactly those issues that we want to raise with the Minister of Financial Institutions and the govern-

ment during the course of committee of the whole discussion of Bill 68.

There is simply no time during the course of two short afternoons to meaningfully raise these concerns, hear the response of the minister, debate them and engage in an exchange, as necessary.

This time allocation motion, in view of what we are aware of now, surely must be withdrawn by the Liberal House leader, because when the Liberal House leader hears what I have just said, he has to acknowledge that there is simply no way the types of issues that the Honourable Edson Haines speaks of in his correspondence to the minister can be resolved in the course of two mere, short afternoons. If the House leader will not withdraw the Liberal time allocation motion, then it falls on the members of the Legislature, Conservative, New Democrat and Liberal alike, to vote against the time allocation motion.

I should mention I have friends who keep buying me glasses of water, and I am very grateful to them. I know that they are interested in my welfare. I appreciate it, and I know it is Liberal friends who are taking care of me and looking out for me. I do not think it is inappropriate for me to thank them for being so attentive to my physical needs. Let me be attentive to their spiritual needs as we talk about this time allocation motion. Man does not live by water alone.

Why, look, Mr Speaker, you have the same friends I do. They are sending you water as well. I hope that is water.

Mr Justice Haines, in his analysis of Bill 68—and again, I make reference to this, and I cannot help it if it is a lengthy analysis. All that does is indicate more strongly than ever that the time allocation motion, this closure motion, really does not permit sufficient time in which to engage in a proper discussion of Bill 68. Mr Justice Haines, in his letter, as much as you can in a bit of correspondence, threw up his proverbial hands, exclaimed "What a mess" Bill 68 and its threshold is, but then goes on to say that it does not end there, because Mr Justice Haines writes, "Worse still, this new law creates two classes of claimants."

That sounds grossly discriminatory, does it not? I have a feeling that Mr Justice Haines is starting to get into that area of consideration about constitutional challenges to Bill 68, ones that Mr Star from Kingsway General Insurance Co was expressing some concern about. Mr Justice Haines writes: "Worse still, this new law creates two classes of claimants. They are: (1) those injured by reason of the use of an automobile." That is the first class of claimants, those injured by reason of the use of an automobile. "(2) All other victims suffering any personal injury."

#### 1720

Mr Justice Haines provides an example. He says this: "For example, those injured in car accidents on the highway because of dangerous repair, people injured in airline and train accidents or unsafe premises, defective products or fires and explosions; indeed, anyone injured by the negligence of all others except for the owner or driver of a motor vehicle, are protected by the rich endowment of our tort law." All those people injured on the highway because of dangerous repair, in airline and in train accidents or on unsafe premises or injured as a result of defective products or as a result of fires or explosions, anyone injured by the negligence of all others except for the owner or driver of a motor vehicle are protected by the rich endowment of our tort law. Why should an innocent injured traffic victim be singled out for such disparate treatment? Why should an innocent injured motor vehicle accident victim be singled out for such

disparate, discriminatory treatment? We are eager to debate the answer to that. The reason why is that this government, the Liberals in Ontario, want to create a billion-dollar windfall, new profits for the auto insurance industry. That is why. It is as simple as that.

The Liberals in Ontario are prepared to sell out drivers, taxpayers and innocent injured motor vehicle victims so that the auto insurance industry can have a payday of a billion bucks in the first year alone, an auto insurance industry that is not doing that badly, thank you very much; an auto insurance industry that, quite frankly, is able to hold its own.

Mr Justice Haines goes on. He says, "Incidentally, who will speak for the victims created by the threshold of Bill 68?" Mr Justice Haines questioned this as a long-time member of the bench, an even longer-time member of the bar with a vast wealth of practical experience. Members should not forget what we said earlier. Mr Justice Haines identified himself as someone who had acted in his practising days, before his appointment to the bench in 1962, not just for plaintiffs, not just for accident victims, but for the insurance companies.

Here is a gentleman who has a wealth of experience, legal and practical, who is eager to share that with the government, who is eager to provide his critique. But does the Minister of Financial Institutions listen? No. Is he even interested in having these issues discussed? No, because the Minister of Financial Institutions, it would seem, is supportive of the House leader's motion. It would seem that the Minister of Financial Institutions is as eager to crush the life out of the opposition as his own House leader is.

That is what this time allocation motion is all about. It is a motion of closure. We should question who is imitating whom. Are the Tories of Parliament Hill imitating the Liberals at Queen's Park or are the Liberals at Queen's Park imitating the Tories on Parliament Hill? The Liberals seem about as eager to impose closure and stifle debate as their Tory cousins do up on Parliament Hill. That is shameful. Perhaps I overestimated the distinction between the two. Perhaps, indeed, the relationship is far closer than that of mere cousins.

Mr Justice Haines says, "Incidentally, who will speak for the victims created by the threshold in Bill 68?" Who will speak for the victims created by the threshold in Bill 68? It is a question that warrants answering. I tell members that we are prepared to speak for the victims contemplated by Bill 68, except that this time allocation motion, this guillotine, this closure, would prevent us from doing that.

That is why we oppose the time allocation motion; we oppose it vigorously. That is why we intend to canvass all of the issues relevant to the time allocation motion and persuade enough of the Liberals sitting in this Legislature—at the very least, those Liberals who genuinely want to represent the interests of their constituents-to vote against the time allocation motion too. We want them to be able to stand up and leave this House with pride at having done the right thing. We want those Liberal members who can muster up the courage and integrity to vote against this motion to be able to walk out of this House: with pride and with a sense of having fulfilled their responsibility to their constituents, their responsibility to an institution that is older than any of us and their responsibility to a procedure and a tradition that warrants our respect and requires that we should fight to maintain it rather than move motions like the Liberal House leader did. The only effect of that motion would be to denigrate and destroy long-standing tradition and procedure.

10 APRIL 1990 499

Mr Justice Haines goes on and says, "Incidentally, who will speak for the victims created by the threshold of Bill 68?" He writes: "It is as true today as it was 60 years ago that injured victims rarely have any financial resources to spare and what savings exist must be used up to meet bills that constantly pile up in the aftermath of an accident. Today lawyers representing the innocent traffic victim rarely receive any financial remuneration before the cause is concluded."

An hon member: Give me a break.

Mr Kormos: Well, the fact is that Mr Justice Haines—is that for me? Thank you very much. Again, I thank the donor of

that particular glass of water, Mr Speaker.

The compassion that the Liberal members are displaying for my physical wellbeing is moving me. It is moving me and, again, what it does is motivate me and provide me with energy that I would not have had otherwise, because now I know that there are members of the Liberal caucus here at Queen's Park who are going to oppose this time allocation motion. I know that if I just spend enough time canvassing the right issues, we will persuade even more to reject a bad motion and to do the right thing. So I am moved by their sense of compassion, and I am going to try to move them now and tomorrow and next week and the week after and the week after.

If anybody has made travel plans for the summer, I think if he calls his broker he can buy insurance, if you will, that will

protect him against cancelled flights.

"Incidentally," Mr Justice Haines writes, "who will speak for the victims created by the threshold of Bill 68?" He confirms that "Today"—1989-1990—"lawyers representing the innocent traffic victim rarely receive any financial remuneration before the cause is concluded."

Mr D. W. Smith: You know that is not true.

1730

Mr Kormos: I hear a heckle to the effect that it is not true. Now, I know the member is not calling me a liar. Is he calling Mr Justice Haines a liar? It is pretty shabby. Once again, it just shows where these folk are coming from, these Liberals here at Queen's Park. These are the same people who moved this motion, the same people who want to impose closure on the opposition, the same people who, quite frankly, do not want to debate the issues that Mr Justice Haines raises; who, rather than debate them, would rather heckle from the backest of benches to the effect that Mr Justice Haines is not telling the truth.

Mr Faubert: Yield the floor. I will show you.

Mr Kormos: Come on. Let's run through that one more time just in case that same Liberal heckler wants to say the same thing about Mr Justice Haines.

**Mr Faubert:** No. It is just to bug you.

The Acting Speaker (Mr Breaugh): I want to point out to the members here assembled my hearing is impaired somewhat today and it tends to remain that way. I am sure that certain things have been said in the chamber that members do not want as part of the record. There is one sure way to see that it never becomes part of the record: Do not say it.

I would appreciate if the member would concentrate his full attentions on the motion before us and ignore the interjections,

as they say. Please proceed.

**Mr Kormos:** Thank you, Mr Speaker. I have suddenly become hard of hearing myself.

Mr Wildman: Hear, hear.

Mr Kormos: But strong of voice. "Today, lawyers representing the innocent traffic victim rarely receive any financial remuneration before the cause is concluded; indeed, in seeking to competently represent their clients, they usually go out of pocket in no small way." Mr Justice Haines writes that in his letter to the Minister of Financial Institutions.

What he is saying, and this is what we want to deal with the Minister about, is that as often as not, personal injury lawyers—

Interjection.

**Mr Kormos:** It is not me saying it; it is Mr Justice Haines saying it, based on his experience back from 1927 through to sitting as an esteemed and outstanding member of the bench here in Ontario, the Supreme Court of Ontario trial bench.

He is saying that personal injury lawyers as often as not do not get a penny of remuneration in personal injury actions until the whole matter is completed. As often as not, the lawyer goes out of pocket himself or herself in no small way because the lawyer, as Mr Justice Haines is trying to explain—and again, we would dearly love to debate this with the minister and with other government members when it comes to Bill 68, and it is this very sort of debate that we insist this time allocation motion is designed to preclude—what happens is that personal injury lawyers go out of pocket themselves in no small way in the course of representing innocent accident victims.

Mr Justice Haines, as a retired lawyer and retired judge, says this is made possible because our system here in Ontario has developed to make the wrongdoer pay costs on a reasonable basis to the innocent victim. Mr Justice Haines writes: "Bill 68 is designed to get rid of the lawyer who has traditionally stood the ground to even the contest between the insurance company and the injured victim." It is an interesting perception, one that is shared by many people out there in the community, one that appears not to be shared by the Liberals, and for good reason.

Mr Justice Haines writes this: "Bill 68 is designed to get rid of the lawyer who has traditionally stood the ground to even the contest between the insurance company and the injured victim. From whom will these victims obtain representation if they cannot pay fees? How many, if any, lawyers will become involved in asserting 'threshold cases,' knowing that their clients cannot afford the expense of matching medical experts and the uncertainty of the outcome?"

That is a dilemma that Bill 68 generates. It is a very specific problem that the threshold in Bill 68 creates. The reality of it is that if Bill 68 becomes law—and our fear is that if full debate is not permitted it will inevitably become law because the Liberal majority will ram it through without thorough discussion and consideration—victims will not have access to legal representation. And that is exactly what the design of the legislation is, that is exactly what the insurance companies had in mind when they wrote it, that is exactly what they had in mind when they drafted it, that victims of motor vehicle accidents not have legal representation and that there be no one there to stand the ground to even the contest between the insurance company and the injured victim. That is the way the insurance companies would prefer it.

Mr Justice Haines writes: "Today the medical reports of general practitioners routinely cost \$350 each; those of medical specialists frequently cost twice as much. How is the injured claimant to match the financial resources of the insurance company which is entitled to and will challenge the threshold both before and during the trial?"

That issue has never been satisfactorily answered during the course of our brief general government committee hearings.

That is why we need lengthier committee of the whole than this government is prepared to permit us. That is why we need more than two mere half afternoons for committee-of-the-whole consideration of this drastically, dreadfully, horribly important piece of legislation, one that is going to strip rights away from everyone in Ontario. The question is, "How is the injured claimant to match the financial resources of the insurance company which is entitled to and will challenge the threshold both before and during the trial?"

Let me explain that very briefly, because it is something the government has not been eager to talk publicly about. If you do not meet the threshold, you cannot get compensated for pain and suffering, loss of enjoyment of life or even for excess economic loss. For instance, for the small businessperson whose business is destroyed as a result of his injuries, he cannot be compensated for that economic loss if he does not meet the threshold.

We already know, from both Mr Justice Haines and other commentators, that the threshold is a very complex and difficult one to begin with. One might try to simplify it and say that the threshold is so onerous that you have to be dead or damned close to it before you can even think about being compensated, before you can even consider it. We know that the threshold does more than exclude modest injuries like a sprained ankle or a modest bruise, scratch or cut that heals quickly. We know that it not only excludes those, but it also excludes serious injuries like broken legs, broken arms, fractured ribs, fractured skulls and broken backs from compensation by virtue of the threshold. We talked yesterday about how a kid who is a victim of a drunk driver and suffers a broken back could receive not a penny in compensation, notwithstanding that he is a perfectly and totally innocent injured accident victim.

The kicker, the one that the government does not want to debate, the one that Murray Elston—I am sorry, Mr Speaker, my apologies—the one that the Minister of Financial Institutions—

Mr Wildman: What riding is he from?

1740

Mr Kormos: He is from the riding of Bruce. The issue that the minister, the member for Bruce, does not want to debate and why the government is so adamant about this time allocation motion is the double kick at the can that the insurance companies get when it comes to threshold.

Mr Justice Haines talks about challenging the threshold both before and during the trial. He talks about very wealthy insurance companies using their resources, their abundance of resources to hire experts and specialists that people like us simply cannot afford. Without lawyers, against whom we are not on an even ground, we are victims once again. What is special is that the threshold can be challenged—well, challenged on the part of the insurance company, not by the poor victim—not just once, not twice, but, quite frankly, almost an infinite number of times.

The insurance company, by virtue of a pre-trial procedure, a motion, can apply to a court to have that court rule that the victim does not pass the threshold. Even if that court, on a pre-trial motion by a wealthy insurance company, rules that the victim does pass the threshold and ought to be compensated, that same insurance company can apply once again at another point in time to a different judge with different evidence—it is almost unbelievable, but it is true—to seek to have that judge declare that the victim does not pass the threshold. Finally, they can do it once again at trial.

There used to be rule against double jeopardy. There used to be a rule against what some people have called res adjudicata. It remains that what this proposition in Bill 68 does is impose infinite jeopardy on the innocent injured accident victim. As it the insurance industry in this province were not wealthy enough and powerful enough already, this government, these Liberals here at Queen's Park want to strip all rights away from innocent injured accident victims: the right to be compensated for pain and suffering, for loss of enjoyment of life, and the right to have access to a courtroom, and now the right to be adequately represented by lawyers. That is just not fair, is it?

Mr Justice Haines says, "How much litigation can the ordinary person afford?" In the context of Bill 68, we would very much want to talk to the Minister of Financial Institutions about this, because Bill 68 is going to increase litigation. It is going to generate litigation. It is going to increase legal costs. The people who are going to suffer are going to be the innocent injured accident victims, the drivers of Ontario and the taxapayers.

Let's get on to the no-fault component because that is where Mr Justice Haines goes next. Mr Justice Haines questions, "What does Bill 68's 'no-fault benefits' hold for the injured accident victim?" Let's not forget that there is nothing new about no-faults in this bit of legislation. We New Democrats fought for no-faults a long time ago, and indeed were successful in getting them here in the province of Ontario along with some of the western provinces. We had to fight hard for them. Even when the governments of the day finally delivered, did they index them so that the no-fault benefits kept pace with inflation? No. Does this government, do the Liberals index the no-faults contained in Bill 68? Of course not. The Liberals at Queen's Park want to see the no-faults contained in Bill 68 eroded as quickly as the no-faults of a decade ago eroded as a result of the passage of time.

Once again, if you have to say anything more to show you how much Liberals are really Tories, too—

Mr Cousens: Now don't give us a bad name, come on.

Mr Kormos: I have just offended a whole lot of Tories by suggesting that Liberals were Tories too.

Mr Justice Haines asks this, "What does Bill 68's 'no-faul benefits' hold for the injured accident victim?" This is the son of thing that we would dearly love to talk to the Minister of Financial Institutions about. This is why the briefest of mere moments this motion would permit for debate is so thoroughly and grossly inadequate. Because we want to say to the Minister of Financial Institutions during the course of committee-of-the-whole discussion of Bill 68, "What does Bill 68's 'no-faul benefits' hold for the innocent injured accident victim?"

The Minister of Financial Institutions and other Liberals among them the member for Guelph who is—this is sort of like two strikes and you are out—a Liberal and also the parliamentary assistant to the Minister of Financial Institutions. I do no know what else bad could happen to him last year or this.

Mr Justice Haines has this to say. Because these people have "trumpeted \$500,000 worth of medical and rehabilitation benefits, with a similar amount for extended care costs," M. Justice Haines points out that "is beyond the margin of the usual case." He points out, effectively and basically, that these are chimerical figures, these are chimerical numbers. These are the unicorn of injuries. Mr Justice Haines writes, "In my experience, the vast majority of injured claimants rarely incur the need for medical and rehabilitation benefits beyond levels all

10 APRIL 1990 501

ready provided by OHIP and extended insurance commonly provided in the workplace."

I am going to interject once again. That is exactly why Don McKay, the general manager of Facility Association, and why Mr Justice Osborne of the Supreme Court of Ontario, who was also the author of the Osborne report for this government, identified, among others, senior citizens as people who, as a direct result of the Liberals' Bill 68, are going to be forced into Facility insurance, where they are going to be required to pay premiums of thousands and thousands of dollars a year. And they are not alone, because women are going to be forced into Facility Association where they are going to be forced to pay premiums in the thousands and thousands of dollars.

Unemployed people are going to be forced into Facility insurance as a result of the Liberals' Bill 68. Young people, students, farm workers, small business people are going to be forced into Facility Association as a result of the minister's Bill 68, and he does not want to debate it.

Interjections.

Mr Kormos: The solution is simple. If any of these Liberals want to challenge—if they can challenge—what I have to say, well then, let them withdraw this time allocation motion so that we can talk about Bill 68 in committee of the whole, so that we can have a thorough debate of Bill 68 in third reading. They are afraid of the truth, which is why this motion is on the floor and which is why they will use their majority to ram this motion for closure through, because they cannot and will not face the reality that this insurance scheme is going to force seniors into Facility. That is what Mr Justice Osborne said in his analysis of Bill 68. He is a trial judge of the Supreme Court of Ontario.

Seniors are going to be forced into Facility Association with premiums of \$2,000, \$3,000, \$4,000, \$5,000 a year. That is what Don McKay, the general manager of Facility Association, said—Mr Justice Osborne, Don McKay, and indeed Mr Justice Haines, when he points out the reliance on extended insurance commonly provided in the workplace. That means that those people who do not have that type of workplace are going to be denied regular insurance coverage.

#### 1750

Mr Justice Haines goes on. He writes, "Moreover, extended care costs fall almost exclusively within the handful of cases that would meet the proposed threshold."

It really makes them but a tool, but a mechanism, to help advertise and promote in a most deceitful way, in the deceitful way that advertising agencies are prone to utilize, a piece of legislation that is being packaged up and marketed as replete with mythology as a box of laundry detergent.

I want to carry on with what Mr Justice Haines has to say about Bill 68. He writes, "On careful analysis, a true appreciation of the average no-fault benefits seems consistent with consigning the innocent victim to the 'poverty level' after one week of starvation."

We would dearly like to question the Minister of Financial Institutions about why is it that an accident victim, a person who cannot go to work, a person who is injured so badly that he or she does not meet—because this a two-threshold system. Let's not forget that. There are two thresholds in Bill 68, and that is something which Liberal members who sat on the general government committee, and even the minister, have a hard time understanding, how there are two thresholds contained in Bill 68.

One is the threshold one has to meet to get compensation for pain and suffering or loss of enjoyment of life. We know that that threshold is so high and so onerous, so unreachable—one has to be dead or damn close to it to reach it—that 95 per cent of all innocent injured accident victims are going to be denied any compensation for pain and suffering.

The other threshold is the threshold that a victim has to meet before he or she is entitled, or can even think about being entitled, to these so-called no-fault benefits. That is the second threshold. That threshold is going to be used by the wealthy and powerful insurance companies to deny people no-fault benefits that are rightly theirs.

Mr Justice Haines recognizes that these no-fault benefits are, one, tantamount to imposing poverty on a victim, and two—and this is what we want to talk to the minister about, but he does not want to talk about it and indeed he wants to protect himself from any inquiry about it by virtue of this motion—there is a one-week waiting period.

What is the rationale for that? Does an injured person acquire some sort of suspension of his monetary obligations for one week before these benefits start to kick in?

I will tell the members what our suspicions are. Our suspicions are that a waiting period simply, once again, enhances the profitability of this whole exercise for the auto insurance industry and that it indeed is as arbitrary as that. Our suspicion is that the secret studies that were carried on by the Liberal government of Ontario throughout 1989, wherein it had no intention of ever listening to Kruger and the Ontario Automobile Insurance Board, where it displayed that it had no intention of ever accepting any alternative to threshold, those secret studies, those \$250,000 worth of taxpayer-funded secret studies throughout the course of 1989, studied how much more profitable the insurance industry would be if there was a oneweek delay, a one-week penalty for victims. A one-week penalty for victims: That is what it amounts to. That is why we can say, time and time again, that what Bill 68 does is make victims out of victims.

Mr Justice Haines queries once again:

"What is the Ontario motorist insurance protection plan saying to an innocent injured parent, without savings, who lives in a house with a mortgage, a leased car and three hungry young children? What will it say if that person happens to have an existing income replacement plan of \$1,550? Bill 68"—the insurance scheme that the Liberals want to ram through this Legislature—"will say and do nothing at all."

It is worth while talking about no-faults a little bit. I want to remind the people who are here that over the next couple of days I am going to be talking about some recent litigation regarding no-fault, in particular a litigation over no-fault that was contained in the 30 March 1990 edition of the Ontario Reports. So those people who want to take a look at that now should, because we are going to talk about it either next week or later on in the month. It is the case of Lovric v. Federation Insurance Co of Canada. We are going to talk about that, and people should take a look at it now so they can follow along with the discussion of that, either next week or, as I say, some time before the end of this month.

Interjection.

Mr Kormos: We are getting it right now, because this is exactly what the point is. We have had some guidance as to what happens in the type of threshold system that the Liberals want to impose on people in Ontario. We have already received some strong advice about how that increases litigation. It in-

creases the involvement of lawyers and courts. What people are forced into doing is, people have to sue their own insurance companies to get their no-fault benefits. Once again, insurance companies become increasingly parsimonious, increasingly reluctant to pay out benefits that rightly belong to injured people, but increasingly eager, hungrier and greedier when it comes to collecting premiums.

Mr Justice Haines, in his correspondence to the Minister of Financial Institutions, says, "Concerning the delivery of existing no-fault benefits"—the ones we have had in this province for well over a decade. Once again, I have to repeat, there is nothing new about no-fault contained in Bill 68; that is a marketing tool. I have to repeat that. It is a marketing tool that the Liberals are using to deceive the community, to deceive the people of Ontario, about what is really being peddled to them. What is being peddled by the Liberals in Ontario is a threshold system. There is nothing no-fault about it. Let me tell you, Mr Speaker, there are a lot of faults with this insurance scheme. There is nothing no-fault about it.

Let's talk for a moment about what Mr Justice Haines says about the existing no-faults and their mode of delivery. Again, who better to tell us about what happens to no-faults in Ontario right now than a man who has been a member of the bar since 1927, who sat on the Supreme Court of Ontario trial bench from 1962 through 1982 and then, upon his first retirement in 1982, sat for another five years effecting settlements during the course of pre-trials?

Mr Justice Haines writes, "Concerning the delivery of existing no-fault benefits, Justice Osborne found that"—here he is

quoting, and indeed he has highlighted it—"'the insurance industry's performance in this area'"—in the area of delivery of no-fault—"'is nothing short of abysmal.'" That is what Mr Justice Osborne said about no-faults and that is what Mr Justice Haines refers to.

We are not finished, Mr Speaker, with an understanding, with a discussion of what Mr Justice Haines says about this legislation and we are going to talk a little bit more about it tomorrow. Our goal is to have this motion withdrawn by the Liberal House leader.

An hon member: Which motion is that?

Mr Kormos: The motion for time allocation, the motion for closure. We have some real copy-catting going on here, because the Liberals at Queen's Park are trying to do what the Tories on Parliament Hill are doing to the opposition there. Jackboot politics are no more acceptable at Queen's Park than they are on Parliament Hill. The New Democratic Party opposition at Queen's Park will fight that antidemocratic jackbootism as vigorously here and now as the New Democrats on Parliament Hill fight it when the Tories try to impose it there. The people of Ontario will have nothing to do with it. The message will go to the Liberals come a general election.

Does the government want to test the public? Call an election now. Call one for June and let us fight it on auto insurance. Call an election.

On motion by Mr Kormos, the debate was adjourned.

The House adjourned at 1801.

10 APRIL 1990 503

#### ALPHABETICAL LIST OF MEMBERS

(130 seats)

Second Session, 34th Parliament

## Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L) Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Beer, Hon Charles, Minister of Community and Social Services (York North L)

Black, Hon Kenneth H., Minister of Tourism and Recreation

(Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

Bradley, Hon James J., Minister of the Environment

(St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of

the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L)

Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L)

Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L)

Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of

Colleges and Universities and Minister of Skills Development (Renfrew North L)

Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L)

Cousens, W. Donald (Markham PC)

Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the

Whole House (Durham East PC)

Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L)

Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L)

Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L) Hampton, Howard (Rainy River NDP)

Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L) Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

Kwinter, Hon Monte, Minister of Industry, Trade and

Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP)

LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP)

Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC)

Martel, Shelley (Sudbury East NDP)

Matrundola, Gino (Willowdale L)

McCague, George R. (Simcoe West PC)

McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L)

McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L)

Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L)

Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

Vacant, Ottawa South

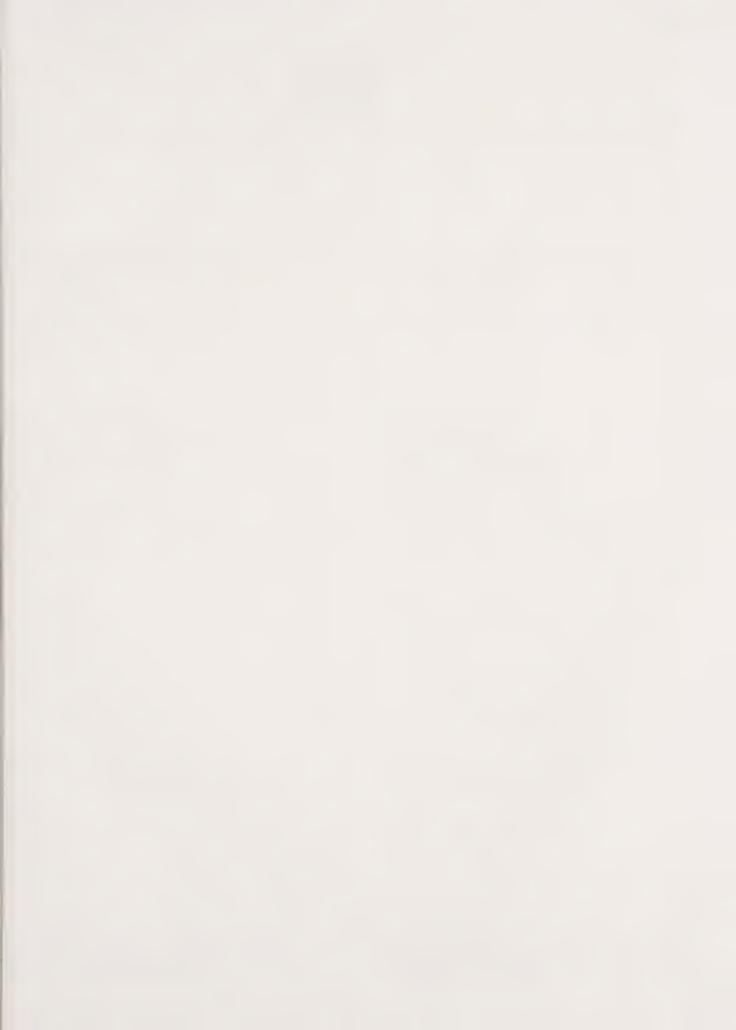
*Lists of members of the executive council, parliamentary* assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

## **CONTENTS**

## Tuesday 10 April 1990

Members' statements	Deer population
Goods and services tax	Mrs McLeod
Mr Laughren	Accessibility for the disabled
oronto waterfront development	Mr Faubert
Mr Harris	Ms Collins
Croatian Independence Day	
Mr Sola	Windsor area economy
Occupational health and safety	Mr D. S. Cooke
Mr Mackenzie	Mr Peterson
ligh technology	Greater Toronto area rapid transit 484
Mr Cousens	Mr Cousens
t Thomas transit services	Mr Wrye
Miss Roberts	
rivatization	Motion
Mr Kormos	
llizabeth Lue	Business of the House
Mr Eves	Mr D. S. Cooke
atya Bhatnagar	Mr Eves
Mr Daigeler	Mr Ward
Mi Daigelei	Motion to pass to orders of
Oral questions	the day—judgement reserved
Or at questions	Judgomoni reserved
Retail sales tax	Petitions
Mr B. Rae	
Mr R. F. Nixon	Milk quotas
ong-term care	Mr Villeneuve
Mr Eves	Waste disposal
Mrs Caplan	Mrs Fawcett
nvironmental protection	Automobile insurance
Mrs Grier	Mr Allen
Mr Bradley	
ong-term care	Mr Ballinger
Mr Harris	Mr Hampton
Mrs Caplan	Eind no din n
Charitable gaming	First readings
Mr D. W. Smith	TT - Long T - CO A A A A A A A A A A A A A A A A A A
Mr Sorbara	Highway Traffic Amendment Act, 1990, Bill 138 487
lant closures	Mr D. S. Cooke
Mr Farman	Agreed to
Mr Phillips	Ontario Lottery Profits Awards Council
<b>lilk quotas</b>	Act, 1990, Bill 139
Mr Villeneuve	Mr Laughren
Mr Ramsay	Agreed to
enant hotlines	Public Land Amendment Act, 1990, Bill 140 487
Ms Poole	Mrs McLeod
Mr Sweeney	Agreed to
Mr Faubert	Employment Standards Amendment
atricia Starr inquiry	Act, 1990, Bill 141
Mr B. Rae	Mr Wildman
Mr Peterson	Agreed to
Mr Brandt	Beds of Navigable Waters Amendment
on-glare lighting	Act, 1990, Bill 142
Mr Wildman	Mr Haggerty
Mr Wrye	Agreed to
IVII VVI yC	Agreeu to

<b>Tommy Douglas Day Act, 1990,</b> Bill 144 488 Mr Philip	Time allocation, motion 30
Agreed to	Adjourned
Seniors' Independence Act, 1990, Bill 146	Other business
Agreed to	Greater Toronto area rapid transit
Government motion	Visitors
Extension of House hours	Adjournment





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## Legislative Assembly of Ontario

Second Session, 34th Parliament

# Official Report of Debates (Hansard)

Wednesday 11 April 1990

Speaker Honourable Hugh A. Edighoffer

Clerk Claude L. DesRosiers

## Assemblée législative de l'Ontario

Deuxième session, 34e législature

# **Journal** des débats (Hansard)

Le mercredi 11 avril 1990



Président L'honorable Hugh A. Edighoffer

Greffier Claude L. DesRosiers

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#### **Table of Contents**

Table of Contents for proceedings reported in this issue appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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#### Table des matières

La table des matières des séances rapportées dans ce numéro se trouve à l'arrière de ce fascicule, ainsi qu'une liste alphabétique de députés de l'Assemblée législative de l'Ontario.

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au (416) 965-2159.

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## LEGISLATIVE ASSEMBLY OF ONTARIO

## Wednesday 11 April 1990

The House met at 1330.

Prayers.

#### **MEMBERS' STATEMENTS**

#### **PRIVATIZATION**

**Mr Farnan:** The jobs of employees of the Liquor Control Board of Ontario are being threatened. The LCBO is putting in agency stores across the province. The LCBO is selling off profitable airport stores. The LCBO is cutting 300 to 400 jobs after the most profitable year.

Little wonder that the Ontario Liquor Board Employees' Union is in the process of taking strike votes across the province, despite the fact that strike action is prohibited by the regressive Crown Employees Collective Bargaining Act. This extreme action is being taken only because no co-operation has been received from either the Minister of Consumer and Commercial Relations or the chairman and chief executives of the LCBO. Is it not extraordinary that employees denied the right to strike must face drastic layoffs imposed by an employer unwilling to discuss the issue?

The following proposals made by the employees' union should be implemented immediately: that a balanced joint committee be formed comprised of employer and union representatives, that such committee commence its proceedings by fully disclosing all information pertinent to the planned workforce cutbacks and privatization measures presently under way at the board, that an immediate moratorium be placed on the implementation of any job cuts and that a moratorium be placed on the privatization of functions normally performed by employees of the board.

The Minister of Consumer and Commercial Relations has a responsibility. The Liquor Control Board of Ontario can only be at arm's length as long as it is not abusing the powers invested in it. The time has come when the Minister of Consumer and Commercial Relations must undertake his responsibility and step in to solve this impasse.

#### FISHING LICENCE FEES

Mr McLean: My statement is for the Ministry of Tourism and Recreation. It concerns the action of a cabinet colleague that I fear will substantially reduce the number of US anglers who visit Ontario annually. The minister's colleague the Minister of Natural Resources recently increased fees for four-day, 21-day, seasonal and seasonal-spousal fishing licences for US residents. The most alarming increases occurred for four-day licences, which rose to \$16.25 from \$11, and for 21-day licences, which jumped to \$28.75 from \$22.

The lines of communication between these two ministers appear to be virtually non-existent, because surely the Minister of Tourism and Recreation would have had the common sense to explain the detrimental effects these US fishing licence fee increases will have on this province's tourism in general and the upcoming Orillia Perch Festival in particular.

The organizers of the ninth annual Orillia Perch Festival, which runs from 21 April to 13 May, were expecting more than 500 Americans to register for this annual family fishing derby, but there are serious concerns that most will decide to stay

home rather than pay the new fishing licence fees. The minister and his cabinet colleagues had better improve their lines of communication before policies are developed that will seriously damage tourism in Ontario.

#### WILLIAM LITTLE

Mr Owen: Recently the city of Barrie lost one of its outstanding citizens, Dr William Little. He was born in 1895 in Churchill, south of Barrie. His father, a medical doctor as well, moved the family to Barrie when Bill was 10. He started medical school at the University of Toronto when he was 16. In 1915 he left his medical studies and joined the Canadian Field Artillery. He was credited with a number of heroic involvements, finally winning the Military Medal at the Battle of the Somme.

At the completion of the war, Bill Little returned to university where he was a welterweight boxing champion and captain of the varsity tennis team. He carried through post-graduate degrees in obstetrics in New York city and Scranton, where he met and later married Catherine Ford, the daughter of an

Anglican clergyman.

Dr Little commenced the practice of medicine in Barrie in 1921 where he taught obstetrics to nursing students for over 40 years. For several years he served as chief of staff at the Royal Victoria Hospital. Some years ago, Barrie honoured him as Citizen of the Year.

Dr Little would spend every Sunday meeting with veterans helping them with their pension problems. A few years ago the Barrie Royal Canadian Legion Branch 147 named the branch after Dr Little. Although he had an incredibly busy practice, he was known to regularly drop into the legion and visit from table to table with his old army comrades.

The people of Barrie are grateful to his widow and children that they shared the talents and energy of Bill Little so generously.

### TEMAGAMI DISTRICT RESOURCES

Mr Kormos: I want to deliver a message to the government of Ontario on behalf of the students and their friends from Notre Dame college school in Welland. Almost 500 signatories are attached to this message, and it reads:

"We, the students of Notre Dame college school, have been following the story of the Bear Island Indian band in Temagami. We understand that the Teme-Augama Anishnabai have requested a decision on their land claim as long ago as 1877. For 112 years the government has kept these people waiting for an answer. In the meantime, a road has been put through the land in question.

"We, the students of Notre Dame, hereby express our serious disapproval of the unjust treatment of the Bear Island Indian band. We are deeply disappointed in the government which has treated this people so unjustly. How can the government justify developing a land before the final decision has been made on the land?

"We request that the government publicly apologize to the Bear Island Indian band and Chief Gary Potts. We request that use of the road be forbidden until a decision has been made. We request that the government come to a decision granting the land in question to the Teme-Augama Anishnabai. We request that this decision be made prior to the spring of 1990."

These students from Notre Dame, kids like Julie Bergeron, Mario Martinez, Cathy Brogan and Scott Harris have asked me to convey this message. Their insight and sensitivity are to be commended.

1340

#### **HEALTH SERVICES**

Mr Eves: I rise today to bring to the attention of the House yet another example of the Liberal government's world-class health care system, this time in the region of Niagara.

According to a recent report by the Niagara District Health Council, patients in Niagara are waiting an incredible five months to get a CAT scan, longer than any other residents in any other part of Ontario. This is appalling, especially when we consider that the criterion in Toronto is that no one should ever wait more than two weeks as an outpatient and no more than three days as an inpatient for a CAT scan.

Due to the long waiting period, doctors in Niagara are attempting to get around the problem by admitting patients to hospitals, where as inpatients the wait is reduced from about five months to about a week. But this ties up already scarce acute care beds; so in desperation many Niagara residents are doing what so many other Ontarians have had to do: they are crossing the border into the United States for same-day service.

Clearly the people of Niagara need another CAT scanner. In its report, the district health council has recommended that the ministry immediately establish a second CAT scanner in Niagara. I urge the ministry to listen to the council and meet the needs of the people of Niagara region by approving a second CAT scanner for that region of the province.

#### **CARABRAM**

Mr Callahan: Once again spring is in the air, and on behalf of the thousands of volunteers in my community who give great time towards the multicultural festival called Carabram, I would like to invite each and every member of the Legislature to an event that will be hosted on 25 June 1990 for the third time by the Minister of Citizenship. It will be in room 247.

At that time members will be able to see certain people from the various pavilions dressed in their original garb. I invite them to come and savour the sights, sounds and tastes. Perhaps we can persuade them then to come out to Brampton for the full festival which takes place on 6, 7 and 8 July 1990.

#### WORKERS' COMPENSATION BOARD

Miss Martel: Three weeks ago I raised concerns regarding the shabby treatment of Workers' Compensation Board staff by administration. I fear that as internal problems worsen and morale declines, the service provided to injured workers will deteriorate as well.

Today's problems concern the microfilm department. At present, if a file is closed for over six months, it is then transferred to microfilm. For back claims the process occurs after one year. When a worker is reinjured and comes to the board's office on Bloor Street to talk to a counsellor about his or her file, that file must be reproduced. It is processed in paper form, and once completed the worker and the file are sent to be dealt with by a counsellor. The process now takes two hours to complete and during that time the worker sits at the board waiting for service.

WCB management has decided to move the microfilm department to the Downsview Rehabilitation Centre. Injured workers will continue to go to 2 Bloor Street East, while reproduction of the file will take place at DRC. The worker will arrive, a notice for the file will be sent to the DRC and the fill will be processed and sent by cab back to 2 Bloor Street East Staff have estimated it will take some four hours to complet the whole cycle. Meanwhile, the worker sits at head office waiting for service.

The move was to occur in July. This morning we were tole this begins this weekend. The worst part is that the WCB plan to close Downsview in 1991. The whole relocation process will occur again, disrupting staff and workers alike. The WCB is a agency of the Ministry of Labour. If on its own it cannot mak reasonable decisions regarding staff and relocation, then the minister must intervene.

#### ZEBRA MUSSELS

Mr Pollock: I welcome the announcement of the Ministe of Natural Resources for a provincial committee to deal with the zebra mussel problem in the Great Lakes. She will remember that I brought this urgent problem to her attention last fall. While the minister took her time deciding what to do, the mussels have had a chance to move farther through the Great Lakes. They are not just in the western part of Lake Ontario, as the minister seems to believe; there have been confirmed sighting near Cornwall.

Last summer, it took the mussels only two to three month to move from Long Point to St Catharines. They will be in Lak Ontario in great numbers this summer. They then will be spreathrough cottage country by way of the Trent and Rideau canal and within the next two to three years zebra mussels will be within the entire Great Lakes system.

I am very concerned that there is no timetable for the provincial committee to report. This government has dealt wit almost every problem it faces with a study. As the minister casee from what I have said, this is an urgent situation. We must act now.

#### JACK BAILEY

Mr Brown: In 1948 a young, adventurous doctor made hi way to Manitoulin Island to begin a practice in medicine. H endured the hardships many medical practitioners experience i isolated communities in northern Ontario. But with determination, dedication and compassion, he served the people of Manitoulin.

Now, some 40 years later, it gives me great pleasure t announce to this House that Dr Jack Bailey of Little Currer will today be presented with the province's highest honour, the Order of Ontario.

Dr Bailey is largely responsible for the excellent health car services that islanders enjoy today.

Although he is to receive the Order of Ontario today, In Bailey was also honoured as Canada'a Family Physician of the Year in 1989 by the College of Family Physicians, another testament to his selfless service.

Dr Bailey has also been made an honorary Ojibway chiestain in recognition of his care of the native people on the Willwemikong reserve. His Ojibway name translates to Swift Wing in reference to his readiness to fly into isolated villages, often his own personal risk in bad weather and rickety aircraft.

In closing, I extend my personal thanks and the congratulations of this House to Dr Bailey for his exemplary devotion the people of Manitoulin Island.

11 APRIL 1990

# 13TH REPORT, COMMISSION ON ELECTION FINANCES

The Deputy Speaker: Before we proceed with the next item, I beg to inform the House that I have today laid upon the table the 13th report of the Commission on Election Finances, containing recommendations with respect to the indemnities and allowances of the members of the Legislative Assembly. I am sure all members will be interested.

### ORAL QUESTIONS

### GREAT LAKES WATER QUALITY

Mr B. Rae: My question is to the Minister of Health. The minister will no doubt be aware that the International Joint Commission has produced a devastating report on the degree of pollution in the Great Lakes, and for the very first time the commission has stated, clearly and categorically on page 15—I am quoting from the commission report—"We must conclude that there is a threat to the health of our children emanating from our exposure to persistent toxic substances, even at very low ambient levels."

The commission is clearly stating what many others have said for a long time, but is now said officially by the International Joint Commission, that the extent of the pollution of the Great Lakes is such that the health of our children is threatened. When is the minister going to join the fight for the establishment of clear standards for drinking water in this province, as a health issue, as an issue that relates to the health of us, our children and our grandchildren?

Hon Mrs Caplan: As someone who is particularly concerned, as I am, with the health status of the people of the province of Ontario and the opportunities for prevention of illness for our children, I will undertake to speak with the Minister of National Health and Welfare when I next meet with him, as the establishment of standards are a federal responsibility.

## 1350

Mr B. Rae: The minister knows full well that the health of the children of this province is her responsibility and that of the government. Since we know that over 300 companies are directly discharging into the Great Lakes system and we now have an official report showing, on the basis of studies in Michigan and on the basis of studies around this province, that in fact there is a problem with respect to what is happeningthe minister has the report of the International Joint Commission, which is an official body established to monitor the treaty between Canada and the United States, and the province of Ontario is very much a party to everything that has gone on with respect to the joint commission-I want to ask the minister, when is she going to take seriously her responsibilities as the Minister of Health to ensure that the health of our children is protected rather than constantly being threatened by the pollution of our environment?

Hon Mrs Caplan: Along with my colleague the Minister of the Environment, I am working with the federal government wherever possible to ensure that it establishes the kinds of appropriate standards. They have that responsibility for all of Canada. I am the first one to acknowledge that health is far more than simply the treatment of illness, that there are many opportunities for prevention of illness and that we work together with the federal minister. The Leader of the Opposition can make representations as well to ensure that they accept their

responsibility to establish a standard in Canada which is appropriate.

Mr B. Rae: The province of Ontario has a responsibility to ensure the health and safety of its children. That is a fundamental responsibility that all of us have in this Legislature.

We know that the municipal-industrial strategy for abatement is a joke; it is not working. We know that zero discharge, which is the objective of this report, is not being met in Ontario. We know that there is direct pollution into Lake Ontario that is taking place right under the nose of the Minister of the Environment. And now we have a clear statement from this document which says that the dangers posed to the ecosystem, including humans, by the continuing use and release of persistent toxic contaminants are severe. This is the strongest statement that has ever come out of the International Joint Commission or any government report with respect to the pollution of the Great Lakes. This is the strongest possible condemnation of inactivity on the part of governments that we have ever seen in this province.

When is the minister going to take seriously her responsibilities to protect the health of our children?

Hon Mrs Caplan: There has not been a Minister of the Environment in the province who has the kind of reputation that our minister has, who has brought in the kinds of programs that we have brought in for Ontario, and we are all looking for everyone to be doing the kinds of things that we are doing here in Ontario. We will redouble our efforts to work with our federal colleagues to be sure that we have the kinds of national standards, but I am proud of the achievements of this Minister of the Environment and the reputation that he has to do what he can do here in Ontario.

#### **AUTOMOBILE INSURANCE**

Mr B. Rae: I have a question for the Premier. When his bill on insurance is opposed by so many groups, including representatives of the disabled, including representatives of the police—representatives of literally hundreds of groups around the province have indicated their strong opposition to what the government is doing—I wonder why the government is persisting in its demand that debate on this critical issue be shut down. Why is it doing that?

**Hon Mr Peterson:** I think the minister can tell the member what has gone on and how this debate is progressing. He would be very happy to tell him that.

Hon Mr Elston: Mr Speaker, I have to admit that I was momentarily distracted by my friend the member for Sarnia, as we were talking about his next potential question. Might I have a brief repetition of the question for my benefit?

Mr B. Rae: For the benefit of the minister, I would like to ask him this simple question. He has representatives of the disabled, he has representatives of police associations around the province, he has literally hundreds of groups around Ontario which are very strongly opposed to what he is doing to their rights and what he is doing to the whole system of insurance in this province. The question that I had for the Premier, who refused to answer, was a simple one. Why, in face of that kind of opposition, would he be persisting in his demand that debate on this matter be shut down?

Hon Mr Elston: With respect to the question, I thank the honourable gentleman for the repetition and editorial that he connected to the repetition of the question.

Let me say this about the people of Ontario: They have required the province to move very quickly and with resolve to deal with the issue of price with respect to auto insurance, and in fact that is what we have done. In the context of what our task has been, which is to ensure that the people who require auto insurance, which is every driver in this province and in fact every person who rides in an automobile and anybody who is involved in any kind of accident associated with an automobile, we are to ensure that there is the ability to buy the product, that in fact it is affordable and that it provides the relief which people need quickly so they can get back into the workplace or back into the home environment. So what we have done is put balance to the issue of auto insurance in this province.

For the benefit of the people in Ontario, we have put forward an entire package, not just a bit of this and a bit of that. We have not just criticized. We have put together the first paragraph, the second paragraph, the third, the fourth and so on, until we came to the conclusions. Our overall package will be criticized by individuals on very minute details, from their point of view. There are significant concerns about our threshold. I acknowledge that. But when we, as government, must address this, we must assert an entire policy, and we have asserted that the policy which we have brought forward will address the needs of affordability, availability and the ability of people to receive not only adequate compensation but more than adequate compensation to allow them to get over the dislocations of auto accidents.

Interjections.

Hon Mr Elston: That is what this entire policy does, and all the nattering of the members opposite will not deter us from addressing the key issues of affordability and the balance of cost with benefits. That is what this program does. That is why we want to implement Bill 68 and the Ontario motorist protection plan for the benefit of the people.

Mr B. Rae: I did not hear an answer to my question. The Premier told the people in 1987 that he had a plan to lower rates. Since that time, rates have gone up nearly 20 per cent. He said he was going to freeze the rates; they went up 20 per cent. Imagine what is going to happen when he unfreezes them.

My question to the minister, again, is this: When he has so much opposition to a plan which is clearly a plan designed by and for the insurance companies of Ontario—there has never been a plan written as closely by the insurance companies of Ontario—why would he continue with his Mulroney-like approach, which is to say, "It's either my way or the byway, and if you don't go along with it, we are going to shut down debate"? Why would he do that? Why would he be shutting down debate on this matter?

Hon Mr Elston: With respect to the honourable gentleman's suggestion that we are shutting off debate, let's listen to what type of statistics there are with respect to debate. If we look at the amount of debate that has occurred, there is no debate; there is a filibuster with respect to the activities of the member for Welland-Thorold. There is no opportunity for an exchange of views or ideas with respect to what he has been saying.

Interjections.

The Deputy Speaker: Order.

Hon Mr Elston: This particular process that we are going through has long traditions about allowing a member to stand in his or her place and address the concerns from the constituents'

point of view without being taken hostage by a member from the opposition minority party so there can be a real exchange of desires, of expression of the benefits. There are no limits to the number of people who wish to barrack about the—

Interjections.

**The Deputy Speaker:** Order, please. One question at a time. Supplementary?

1400

**Hon Mr Elston:** Mr Speaker, on a point of order: I have not been allowed to answer the question. May I answer the question, please?

The Deputy Speaker: On a supplementary—

**Hon Mr Elston:** No, Mr Speaker. In fairness, I was shouted down by the opposition.

Interjections.

The Deputy Speaker: Order, please. The member for Nickel Belt will pay more attention to parliamentary language, please.

Interjections.

**The Deputy Speaker:** Order, please. It is your time. Supplementary. The minister will get a chance to answer then.

Mr B. Rae: The fact remains that this government has brought in legislation which is even more in keeping with what the insurance companies wanted than what they originally proposed. The government gave them even more than they asked for. That is the kind of balance that this government has established. They gave them more than what the insurance companies were originally asking for. The insurance companies have got more money out of this government than any government previously in Ontario and any other government in Canada. There has never been a corporate bum deal like this ever made by a government of Ontario—never.

Given that fact and given the amount of opposition from people with disabilities, from groups all across this province why is the minister persisting with a closure motion? Why is he persisting in insisting on a closure motion, when he knows that what he is doing is shutting down debate and simply acting directly on behalf of the insurance companies of Ontario?

Hon Mr Elston: I was prevented by the New Democratifrom answering the last question. I suspect that I will be prevented again by those people from expressing my point of view, as is their way these days.

Let me say something about lower rates. There in fact have been lower rates in this province because of the freeze that warput in by my predecessor. There in fact have been small increases over the last few years. Everything that has been purchased in this province, like a number of other commodities virtually has gone up, and there have to be increases in cost. We know, unlike the people from the New Democratic Party, that you cannot get something for nothing. That is what they propose. They want people to believe that you can get something for nothing in Manitoba.

The reason we are bringing this particular piece of legislation forward is that it is a complete package. It does provide balance of compensation at affordable rates, and that is critical to so many people who drive automobiles in this province. The members opposite barrack about how they are standing up to protect the young people, senior people and all others, but the

11 APRIL 1990

do not even come close because they are allowing themselves to-

Interjections.

The Deputy Speaker: Order, please. The minister may proceed.

Hon Mr Elston: I want to indicate that, for the first time, our no-fault benefit schedule has been expanded to include more benefits, but there are costs associated with that. The balance that comes from those extended no-fault benefits will include the fact that people will not have to go to court to seek the redress that they would formerly have had to go to court to recover. The one benefit is that they can do it in a less formal structure which allows them, if they wish, to not have to get the costs associated with expensive court proceedings and outside of the adversarial association of court work, which in fact has been a detraction for those people who have had to make—

Mr Hampton: Murray for president of Allstate.

Mr Reville: You're in good hands with Murray.

**Hon Mr Elston:** Shouted down again, Mr Speaker. They won't allow me to speak.

Mr Cousens: We can't speak either.

The Deputy Speaker: Order, please. I will just wait.

Interjections.

The Deputy Speaker: Order, please. The Speaker is trying to get the members to respect the standing orders for those asking questions and for those answering questions.

Mr Brandt: It is awfully quiet in here at the moment.

#### ST JOSEPH'S TRAINING SCHOOL FOR BOYS

Mr Brandt: I have a question for the Premier and it is on a matter of very critical concern. I know that the Premier has read press reports with respect to certain allegations relating to St Joseph's Training School for Boys in Alfred. The Premier has indicated his concern about those allegations and about some of the problems surrounding that particular home and the operations of same some three decades ago.

I wonder if the Premier has had any further opportunity to review the circumstances surrounding some of the conditions that apparently existed at that time. Would he share with this House what his intentions are in connection with looking further and in more detail into the allegations surrounding the St Joseph's situation?

Hon Mr Peterson: Mr Speaker, with your permission, I would invite the Minister of Community and Social Services, who has been extensively involved with this, to bring the member up to date on everything that the government knows at this point in time.

Hon Mr Beer: This morning, together with my colleagues the Minister of Health and the Minister of Correctional Services, I met with Mr McCann to discuss this issue in some detail with him. There were two major areas that we explored with him, if I might bring the member and the House up to date on those discussions.

In the first instance, we reviewed what the needs were of those individuals who were coming forward and telling their stories with respect to what had happened to them while they were at the institution. We are moving in to provide supports in terms of working initially with the telephone line that the OPP has already in place to bring in support so that people can be provided with whatever counselling is required. We are talking with the different agencies with which we work around these issues to ensure that support will be there. Mr McCann had a series of other requests that he made of the three of us in terms of supports for him and for others who have come forward, and we have agreed to move ahead with those. I think we made very clear to him that we want to ensure that whatever help is required will be provided and as soon as possible.

511

In addition, I can inform the leader of the third party that we will be increasing the OPP investigation of this particular situation so that we can get to the bottom of it as quickly as possible.

The second key point which Mr McCann raised was the issue of a public inquiry. We discussed that with him and, on behalf of my two colleagues, I said that we would take it back and report to the Premier and cabinet specifically on that issue. By no means do we rule out the possibility of an inquiry. We will be meeting with our cabinet colleagues and making that decision at a later date.

Mr Brandt: The minister is aware that in this particular situation, potentially 100 cases of abuse are involved, perhaps more. I do not know how many the minister may have had brought to his knowledge at the present time. Certainly the matter is a very serious one and involves not only providing—and I applaud the minister for this; I know we do that all too infrequently on this side of the House—immediate assistance to those who need it now, who are potentially wearing the scars of what happened some years ago. I think it is a very appropriate and proper move on the part of the government.

As well, however, I think there is a second step to this entire matter, which is the focus of my question. That is, what does the government intend to do with respect to looking into this entire area of concern and making sure that it does not repeat itself ever again in this province?

Since the minister and two of his colleagues met with one of the former residents of St Joseph's who shared with them the information that he had along with his personal observations, will the minister be making a recommendation, as a result of his discussions with his colleagues, that the province undertake a full and thorough inquiry, as, I might add, was done in the case of Newfoundland under somewhat similar circumstances so that we can look into this matter as it should be looked into?

#### 1410

Hon Mr Beer: Certainly, in exploring this issue with Mr McCann, he drew to our attention information that he had. I think everyone shares in the desire to ensure that we know what has happened and that this cannot be allowed to happen again.

Very specifically, one of the things that the three ministers involved in the meeting took from it was that we have to keep looking at our procedures and ensuring they are as effective and as up to date as possible. With respect to the specific request for an inquiry, as the member knows, a number of our colleagues have been involved in different parts of this particular question. At this point I would certainly not rule out the possibility of an inquiry, but I think it is important that I and my colleagues report back to the Premier and cabinet, and at that point we will take a decision.

I would want to underline that I share completely the view of the leader of the third party that it is terribly important that we know what has happened and, equally important, that we ensure that those people who were affected by what happened receive the necessary support and help that is required.

Mr Brandt: By way of preamble to my question, I want to simply say to the minister that our party very firmly supports the need for an inquiry into this matter. We believe that if there were wrongdoings they should be thoroughly investigated, that it is the proper and correct role and responsibility of government in connection with matters of this kind. Can we be assured that the minister will use his good offices to make every persuasive argument possible with his colleagues in cabinet that an inquiry is absolutely essential and critical in this particular matter and is the only route for the government to go under the circumstances?

Hon Mr Beer: I can certainly assure the leader of the third party that in our discussions with our colleagues we will review our discussion with Mr McCann and ensure the right and appropriate decision is made, so that we know what has happened and that we know this will not happen again.

#### CHILDREN'S MENTAL HEALTH SERVICES

Mr Brandt: A question to the Premier again: In response to a question with respect to the St Joseph's matter, the Premier said: "I look at that and it just makes me weep and my heart goes out to them. I mean, think about it, think about it in terms of your own kids. It's just awful and obviously we're going to help."

I agree with the fact that help is needed and I think those are laudable sentiments, but I want to bring to the Premier's attention the fact that just a matter of days ago I brought to the attention of this House children who are in need today, not 20 or 30 years ago, as serious and as critical as that situation might be. Let me, if I might, with the indulgence of the Chair, just read a couple of these cases before the House into the record: "A male child, age 2, sexually molested by father, parents separated and the child displays hysterical behaviour." These are taken directly from a report that was provided to the Premier's minister. "Female, age 3, physically abused by a 19-year-old living in the household." "Male, age 3, sexually assaulted by a male baby-sitter and witness to sexual abuse of the sister by this same individual." I have many more cases here.

The Deputy Speaker: Question.

Mr Brandt: I can understand the Premier's concern about what happened in St Joseph's in Alfred back some years ago, but there are some 10,000 children on a waiting list that runs anywhere from six months to two years before these children, who are with us today, can receive the kind of services that are required. What is his government prepared to do about it?

Hon Mr Peterson: I think the minister can tell my honourable friend of the things we are doing.

Hon Mr Beer: We would share completely the concerns of the leader of the third party with respect to anyone who is waiting for needed care. I do not, for any minute, say we are as yet satisfied with all that we have been able to do to ensure that care can be provided. I think it needs to be made very clear, however, to my honourable friend that over the last three or four years we have made a significant commitment to the whole children's services sector, not only in terms of children's mental health but also in terms of child welfare and the care of young offenders.

I would remind the honourable member that on Friday last both the Minister of Health and I announced we were increasing the amount of funds that would be going to all of those transfer payment agencies that come under our jurisdiction, so that they will be receiving a 5.5 per cent increase in their budgets. I think

this is in part a reflection of our concern about the needs that they have. I also indicated at that time that we were going to continue to look at the issues which I had outlined to the honourable member earlier in answer to other questions. We view this as a most serious issue and we are committed to resolving it.

Mr Brandt: I want to say to the minister, and I want to put this in the appropriate context, that there were measures taken by his government which increased the costs of the operations that provide these types of services. The minister provided a 4.5 per cent increase in their baseline budget. That in and by itself is not an inappropriate amount, although it is slightly below the rate of inflation.

However, what the minister did—I pointed this out to him previously and I stand by the comments I made at that time—was to introduce the employer health levy and, in addition to that, pay equity, which is impacting on these particular agencies. In one instance, an agency which operates in his own home riding and has seven branches is going to have a cost increase of \$1 million, not as a result of the government's increase when that is meshed with the total global budget, but as a result of the additional costs that decisions by his government are imposing on top of the costs of the operation without the employer health levy and without the pay equity introduction.

I ask the minister, is his government satisfied that these particular operations can maintain the current level of service, let alone look after the waiting list, recognizing that he has increased their costs of operation?

Hon Mr Beer: I would simply say again that one of the reasons specifically that we have changed our funding for this year and moved to 5.5 per cent was, after sitting down and talking with the Ontario Association of Children's Mental Health Centres and other agencies active in the child services area, we recognized that there were greater demands and made that change. At the same time, we are actively involved with them in looking specifically at the question of waiting lists and how we can bring that down, at the question of the salaries of front-line workers and at the comparability between the professional staff in many of those agencies and how they relate to the educational and health sectors.

We are doing this now. We have said very clearly that it is critical that we recognize the problems that they are facing. I think it is very important to underline that when we look at the total amount of funding that we have put into this sector—which has grown, as I mentioned the other day, by some \$18.6 million above inflation—there is a real commitment on our part to help those organizations, and we will continue to work closely with them. That is the commitment that we have made, and we are going forward. I think a good sign of our intent is the change that we made last week in terms of their base budgets.

Mr Brandt: The only way we can avoid a St Joseph's situation from occurring 10, 20 or 30 years into the future is to do something to help those children today. That is the only way that problem can be dealt with. The minister's government, as a result of decisions made by his cabinet colleagues, has increased the cost dramatically for the operation of these agenticies. They are losing staff, they are cutting back staff, they are shutting down operations, one of which was, I might add, are operation in the minister's riding, in the Newmarket area, which had to be closed as a result of underfunding.

It is not a question simply of increasing the budget; it is a question of looking seriously at what the impact of his programs is on the operating costs of these particular agencies:

11 APRIL 1990

Is the minister prepared to maintain the current level of service and remove the waiting list of some 10,000 children?

#### 1420

Hon Mr Beer: We have made a specific commitment to enhance services in the children's services sector. An advisory committee has been set up to look at the broad area to see how we can do that. We have increased funding in this area. We have done all of that. And we did what we did last Friday in the face of a complete and utter withdrawal by the member's federal cousins in terms of any kind of funding under the Canada assistance plan for these programs.

I think it is terribly important to recognize that we have always said there are issues within that sector that we are trying to address and it is time the federal government came back to the table. We are moving ahead, we are providing more funding and we are going to continue to work directly with those agencies to ensure that the kinds of things the member mentions will not happen. That is a commitment proven by past experience and it is a commitment that will continue from this moment on.

#### ADVOCACY AND GUARDIANSHIP

Mr Reville: In the absence of the Attorney General, I must direct this question to the Premier. The unhappy incidents that appear to have happened at St Joseph's Training School for Boys in fact point out a failure of this government. As long as we have institutions, we will have the breeding grounds for abuse against people who are vulnerable, and there is no question about that. My question to the Premier is, why has his government not moved on any of the umpteen reports and recommendations to implement advocacy services for vulnerable people in this province?

Hon Mr Peterson: I understand the temptation to blame ✓ the government for every problem in society, even though the things were not in its particular time. I understand that easy temptation. I know if my friend thinks about it, he will probably take another view in this matter. I can tell my honourable friend that this matter is under review. There are things that have been done in that area. I can tell my friend there are broad ramifications for that. I cannot tell him at this point when that will be forthcoming.

Mr Reville: Perhaps I should have an opportunity to elucidate the temptation of the member for Riverdale. Basically what this government has had before it are the Fram report, the Graham report, the O'Sullivan report, the Manson report, the Hilda Danielsen inquest and the Starkman work, which of course did not result in a report because I understand Mr Starkman left before completing a report.

Every one of those reports said that people in institutional settings will be subject to physical, emotional and sexual abuse, including having their faces rubbed in faeces and urine, if there are no independent advocates to protect them. What on earth is the government waiting for? Some more allegations? They are happening every minute.

Hon Mr Peterson: A number of initiatives have been undertaken, as my honourable friend knows. There have been very substantial increases in the social services budget. There are a number of problems that we have been trying to arrest. I appreciate the views of my honourable friend on this particular matter, but I can say it is something that is under review.

#### **ELIZABETH LUE**

513

Mr Eves: I have a question of the Minister of Health. Yesterday during members' statements I raised the case of Elizabeth Lue, which I am sure the minister is aware of, and the need to have more funding for more blood testing to save Elizabeth's life. The community has raised over \$140,000. The costs to date are just under \$280,000. In the scrum after question period yesterday the minister was quoted as saying that she would like to help Elizabeth but that she cannot do anything about it because her hands are tied and the OHIP system does not permit her to fund this type of blood testing. The minister has had 24 hours to reconsider that statement. Is she now prepared to do something to help Elizabeth Lue?

Hon Mrs Caplan: For the information of the member opposite, the Ministry of Health funds some 36 per cent of the cost of a national registry which links not only Ontario but all of the provinces in this country as people seek matches for unrelated donors for such services as bone marrow transplant and blood products. We hope to see this expanded so it will link internationally, and I think that we in fact have shown great leadership in Ontario in accepting our responsibility and funding this very important registry, which hopefully will help with identification of people to provide this important service.

Mr Eves: That information, I am sure, is all very important, but that is not the issue at stake here. The issue at stake here, as the minister knows, is that this testing has to be done in the United States by the American Red Cross and it has to be done within 24 hours, because of the volume and the number of people who have to be tested and the time line that they have to do the testing. And these people are going into an international registry. This is not lost money.

I note that the minister was quoted yesterday also as saying, "My heart goes out to the family." The minister is always concerned when members bring issues here, on a very personal level sometimes, asked by the family, as I was asked to do in this case. I am asking the minister, on behalf of the Ontario government, to do as much for Elizabeth Lue as the community is doing. Will the minister match them dollar for dollar and do something? And the minister should not give us her bafflegab, while people are dying out there, about what she is doing about something that has nothing to do with this specific case.

#### The Deputy Speaker: Minister.

**Mr Eves:** Do you like oranges too? What has that got to do with this?

Hon Mrs Caplan: I think that the outburst from the member opposite is completely inappropriate. He knows that in fact we want to do everything we can in Ontario to make sure that people have access to the services that they need. I can tell him that there are some services which are not funded by the Ministry of Health. There are many things that we would like to do for everyone. We do not pay for tests for people who are well. In these kinds of testing programs we are always reviewing to see how the policies can be reviewed on a universal basis.

He knows as well that there are many, many new technologies and many new procedures which are allowing people to have the kinds of services that were never available before.

Interjections.

The Deputy Speaker: Order, please.

Hon Mrs Caplan: I would say to him and to the families of all of those who are looking for bone marrow transplants that

we know what a difficult time it is for them and that we all wish them well.

#### **BUSINESS OPPORTUNITIES**

Mr Owen: I have a question for the Minister of Industry, Trade and Technology. With the advent of Europe 1992 and the opening up of eastern Europe, there would appear to be many challenges or opportunities for the business community here in this province. And in the past number of years there has been considerable interest of European countries in investment in our province. As a matter of fact, Volkswagen has brought an innovative and highly automated automotive parts plant into my own riding, in Barrie. I would like to ask the minister if he could advise us, with these opportunities there, what the province is going to be able to do to take advantage of what is opening up.

Hon Mr Kwinter: I am sure members will know that in 1992 Europe will become the largest economic bloc in the world, with 320 million inhabitants, possibly expanding even larger with the advent of eastern Europe and other countries that are trying to gain entry into that. We are very aware of that and have been working very hard. We have had four missions to Europe under our Euronex program, which is new exporters to Europe. We have published a handbook which outlines business opportunities in Europe 1992. We have constantly received delegations that have come into Ontario. With all of these things we have been making companies aware of the opportunities that are there so that we can capitalize on this new and exciting market.

Mr Owen: Before the Legislature resumed, I had the opportunity of going over a number of business magazines and newspapers. I was very impressed with what seems to be done in the United States and in Japan, gearing up to enter and to compete in these same markets that I have earlier identified.

I appreciate the minister's concern, but I would submit that the minister cannot do anything unless he has the support and the awareness of the industries of this province. Various states in the United States and other countries in the Pacific sector are gearing themselves into this market. Could we have some reassurance from the minister as to the leadership which we can show to our own industries and make them aware of these opportunities?

#### 1430

Hon Mr Kwinter: We have entered into a special relationship with the so-called four motors of Europe. These are the areas in Europe that are very similar to Ontario in the fact that they are the manufacturing and economic centres of their respective jurisdictions. We have a relationship with Rhône-Alpes, which is centred in Lyons; we have one in Baden-Württemberg, which is centred in Stuttgart; we have one in Lombardy, which is centred in Milan; and we will be entering into one fairly soon with Catalonia, which is centred in Barcelona. These are areas in Europe where we can gain access to those particular markets.

I am sure all members will want to know that the Premier will be hosting a summit of the leaders of the four motors in Ontario in June and my ministry is working very closely to co-ordinate the business aspects of those meetings.

## TEMAGAMI DISTRICT RESOURCES

**Mr Morin-Strom:** I have a question for the Premier with regard to the Temagami wilderness. The Premier's government

has disregarded both aboriginal land claims and environmental concerns in this area and his government is now threatening to destroy one of the province's finest economic and ecological assets, the pine wilderness here in Ontario.

This government has refused to recognize the inherent sovereign rights of the Teme-Augama Anishnabai first nation over this region of the province. Why at this time will the government not order a full environmental assessment of the interim timber management plans for both the Temagami and Latchford crown management units?

Hon Mr Peterson: I do not want to be unkind to my friend opposite; he is usually—or at least sometimes—relatively moderate and occasionally even accurate. But he is wrong in a number of his assertions. He has said that we have ignored the Indian claims. This matter—

Interjections.

**Hon Mr Peterson:** If they want to hear me, I would be delighted to explain it to them.

This matter has been in the courts for some 12 years. The government's position has been supported at all turns. My honourable friend knows that and would not want to give a false impression in what he says. He would want to be accurate. He says that we have ignored the environmentalists. There have been ongoing discussions. There has been ongoing dialogue with the environmental groups. This has gone through a whole variety of discussions and we are not oblivious to their concerns at all, just as my friend is not oblivious, I am sure, to some of the concerns of people in northern Ontario. He is not oblivious to the concerns of environmentalists either in this unique stand of timber.

I can tell my honourable friend, and he probably knows it, there is a class environmental assessment going on with respect to our forestry practice across the north. One of the most esteemed members of his group is one of the commissioners. If they do not have faith in Elie Martel, how can we persuade them that we are doing the right thing? They know him far better than we do; they lived with him. Do they not have faith in this esteemed gentleman's judgement?

Interjections.

The Deputy Speaker: Order, please.

Mr Morin-Strom: Unfortunately, that environmental assessment will take a number of years before its completion. In the interim, this government has tabled an interim timber management plan which reveals that some 88.2 per cent of the total planned area of the harvest is to be clear-cut; that even in areas not to be clear-cut too many of the trees are being cut to ensure adequate regeneration; only some 18.5 per cent of the area to be harvested in fact will be replanted; and the forest resource inventory on which the long-range wood supply projections are made is today 23 years old.

Given these clear inadequacies, should the Premier not insist that this area be subject to a full environmental assessment on a specific-case basis to ensure that that resource is protected in the long run?

Hon Mr Peterson: No one is talking about clear-cutting all of Temagami. My honourable friend is aware it is a very, very large area. There is a specific group of sensitive trees, of large pine, and we have said, and I will say to my honourable friend, there will be no clear-cutting of those old pine stands. That is just a fact of life. I know my honourable friend understands that, being a northerner, being sensitive, being an economist,

11 APRIL 1990 515

and I am sure my honourable friend would want to stand up and tell the facts on this case. Being a member of the legislature, being a rational person, he cannot avoid the luxury of inaccuracies or just straight emotionalism when the facts are very clear in front of him.

He will know that the honourable minister is reviewing the timber licences—independent reviews by a number of respected people, Mr Buck and others, who are looking at the situation. It is under review. But I want to tell my honourable friend that he does not have to worry. He can sleep well tonight, because there will be no clear-cutting of those old pine stands. Anything to be done will be enormously sensitively, with the co-operation of the band, if it is prepared to work with us, and the Temagami Wilderness Society and other people whom we have invited to give us their advice and their submissions. So my honourable friend, I think, now that he knows the facts with respect to Temagami, would want to stand up and say that, so he is not accused of just being an extremist or emotional on the subject. Normally he is quite rational.

#### **ENVIRONMENTAL ASSESSMENT**

Mrs Marland: My question is for the Premier. I just want to point out to him that Ken Yarrow and Earl Harren from the federation of agriculture are in the gallery and very interested in his answer to this question.

Last August, the Premier announced that the greater Toronto area interim landfill sites would be exempt from the Environmental Assessment Act, and since that time we have asked the Premier and the Minister of the Environment a number of times to reconsider the exemption from the full environmental assessment of these sites. We feel that his government is going to be creating major environmental havoc around this province if that policy goes forward.

I am here to ask again, particularly on behalf of this one particular application, if the Premier will reconsider his government's decision and fulfil his government's so-called commitment to the environment and make all the GTA waste disposal interim sites subject to the full force of the Environmental Assessment Act.

**Hon Mr Peterson:** I am sure the minister would be very happy to tell the member again what he has told her in the past.

Hon Mr Bradley: I would be pleased to answer that question, on behalf of the Premier, naturally. I would say first of all to the member, who I think is aware of this, and I think that the members of the House must be reminded of this, that his party has consistently chastised this government over the past five years for taking too long to deal with these matters of waste management. Their leader, putting forward a point of view that he believed in, said to me on occasions gone by, in all sincerity, that he was chastising and saying the government had never approved a landfill site in the province of Ontario since it has been in office. That is not the case at this time, but he was expressing that particular concern about the problems that are created by not dealing with these matters as expeditiously as possible.

What we want to ensure is that any site that is put forward for consideration by people in the GTA, and this was an agreement that was made among the chairmen of the GTA, would be going to an Environmental Assessment Board hearing under the Environmental Protection Act, which takes into consideration all of the scientific aspects, all of the technical aspects, all of the environmental aspects of any proposal that comes forward. The board would then render a decision, having heard from both

sides, one of the sides being eligible for intervenor funding from the government of Ontario to help present its case, and this would be on the interim sites. Any long-term sites, of course, would be subject to the Environmental Assessment Act.

Mrs Marland: It is obvious that the Premier does not know what is going on. It was the Premier who made this announcement. That is why I was asking the Premier the question. However, he has chosen to refer it to the minister.

I want to talk to the minister about a site which Metro Toronto has nominated. It is an abandoned open-pit mine in Marmora, and they have nominated this as an interim site. It is a 75-acre mine, it is 600 feet deep and it has 300 feet of water in it. I would like to tell the minister that the Minister of Natural Resources has said that she is concerned about the potential of contaminating ground water, as well as the Crow and Moira rivers

Based on the concern of the Minister of Natural Resources in this province, who said that to alter or destroy this habitat would require the authority of the federal government, and since Metro is very keen on having this as an interim site when it is obvious that there are serious environmental concerns in this site, I ask the minister again to give us his word that this site in Marmora and all interim GTA sites undergo the full environmental assessment.

#### 1440

Interjections.

The Deputy Speaker: Order, please.

Hon Mr Bradley: In Marmora there have been people who have legitimately expressed concerns about the possibility of having their area used for a landfill site and it is certainly understandable that they would do so. That is why, through the act pertaining to this, which allows for intervenor funding, the intervenor funding initiative that was begun by this government for these purposes is available to them. I am certain that all of the—

**Mrs Marland:** Our government never asked for the exemption from the Environmental Assessment Act.

The Deputy Speaker: Order, please.

Hon Mr Bradley: Well, I am sorry, but the honourable member's government, remember, built Darlington and Pickering and Bruce without an environmental assessment, so she need not lecture me on the Environmental Assessment Act.

The Deputy Speaker: Order, please.

Hon Mr Bradley: Anyway, to go back to the member's specific question, all of these matters will be taken into consideration, and I recognize that every landfill site that is proposed in the province will be opposed by members of the opposition. When I was in the opposition, I opposed all those sites in Ontario, because that is the role of the opposition. But they are not going to propose any specific site for it, because of course then they would have to take the responsibility for that.

What we have done is ensure an Environmental Assessment Board hearing for those people. We ensure that there will be intervenor funding. We ensure that all environmental considerations will be taken into account before any decision is rendered by the independent Environmental Assessment Board. That is a commitment that I give to the people of this province.

#### CHILD CARE

Mr Adams: My question is for the Minister of Community and Social Services. The need for quality day care has grown enormously in recent years and in fact is still growing at a very rapid rate. One of the reasons for that is that women form the largest new component to the labour force, and as a result they increasingly need quality day care.

My question to the minister is simply this: What specific steps are being taken to fulfil this need for quality day care?

Hon Mr Beer: I think that the commitment of this government and indeed the programs that have been brought to bear on the development of child care represent a tremendous impact on the whole child care sector. As the honourable member will know, over the last four to five years, our funding for child care has grown from something in the order of \$89 million to close to \$350 million, a significant contribution and increase. At the same time, the number of subsidized spaces has more than doubled, from some 22,000 to 45,000 subsidized spaces.

In addition to that, we have taken other specific steps, as, for example, in the support to employment program which was brought in last year under the social assistance reforms. We recognized clearly that one of the important ways of helping single women, single mothers, to get back into their jobs that they had had or into jobs that they wish to carry out was to ensure that they had funding for child care, and that initiative, which began in the late fall, is beginning to show real dividends.

In other areas, we have, for example, placed in child care centres the day care posters, which set out clearly what inspections have taken place, when, and is everything in order as it ought to be. We have reviewed staff training, developing new training needs, and we have done more planning and preparation for the development of child care legislation.

I would say we have done that again in the absence of the federal government. They withdrew their child care initiative, but that has not prevented us from taking vigorous action and going forward in this area.

Mr Adams: I am very grateful to the minister for that informative response, but I wonder if he could now address his attention to the situation in Peterborough. As members know, my riding is a very diverse one. We have an urban component with very mixed industry and very mixed employment opportunities, and there is a rural component. The city of Peterborough is faced with the task of providing day care, not only for people in its immediate area but for those in the surrounding rural areas, where quality day care is particularly lacking, and, by the way, particularly needed.

I wonder now if the minister would address the case of Peterborough and its surrounding area. I wonder if he could be fairly specific and if he can assure me that the present level of quality day care in Peterborough will at least be maintained and will—much better—hopefully be increased.

Hon Mr Beer: I know the honourable member has been very involved with a number of organizations in the day care area in Peterborough, and I think that there we have seen a real growth both within the city and in the rural area. As the honourable member knows, in 1989-90 approximately 1,018 licensed day care spaces were available in the Peterborough area, and of course in terms of enrolment it is even greater, because those represent in effect the actual subsidized spaces. The amount of funding that we put into that area last year was approximately \$3 million for subsidized spaces.

The honourable member might be interested to know some of the breakdowns. In the direct operating grants, over \$425,000 was provided, and that was for the enhancement of staff salaries and benefits and for program startup costs, because again we are involved each year in starting up new programs; almost \$284,000 was provided for community development, public education initiatives and other startup costs; \$191,000 was provided to licensed child care programs for toys, equipment and minor renovations, and over \$200,000 was provided to the resource centre in Peterborough to provide training, education and support programs for informal care givers and families.

I think that those amounts of dollars, the commitment that we have made, indicate that we view this as a critical area, and we are going to continue to work with my colleague the member for Peterborough and others to enhance and develop child care programs throughout the province.

#### **BUSINESS OF THE HOUSE**

**The Deputy Speaker:** This completes the time allocated to oral questions. I would like at this time, before we proceed with the next item, motions, to render a decision on yesterday's request.

Mr D. S. Cooke: On a point of order, Mr Speaker: In view of the fact that yesterday we in the opposition parties were not aware of this motion coming forward and that this motion has had no precedent in this place, the points of order that we raised with you in considering your ruling were just what we had at the tips of our fingers without any proper research and I would appreciate the opportunity to make a few additional points before you render your decision to the House today.

The Deputy Speaker: This is not an habitual request, though we have looked at this decision carefully, and if some members want to make some additional points today, because of the importance of this decision that I have to render, the Speaker will entertain some arguments from whoever wants to make arguments. Do you want to make arguments?

#### 1450

Mr D. S. Cooke: First, if I might, I would like to express my appreciation for your decision allowing us to have additional input. I would also like to express my extreme disappointment at the decision yesterday of the government House leader at moving this motion in the Legislature.

I think that we all, as members of the Legislature, must be very careful about what motions we move without a great deal of thought being given to those motions. I think that the government's move yesterday did not consider all the possible ramifications of this motion, in my view the destruction of our standing orders, and I think it demonstrated very clearly a lack of respect for the integrity of this institution and the democratic procedures that have developed in the Legislature over the last hundreds of years in parliaments throughout the world.

Mr Speaker, in making your decision on whether this motion to move to orders of the day is in order, I think you must be mindful, of course, of the government's right to govern, but you must also be mindful of our right in the opposition to oppose. You must protect both those rights and balance them.

In Ottawa, as you know, and that is where this motion comes from, it is not unusual for routine proceedings to be destroyed by this type of motion; it happens routinely in Ottawa. However, I do not believe that this institution wants to duplicate every precedent and every rule that exists in Ottawa.

11 APRIL 1990 517

It is certainly clear that, generally speaking, the precedents that are set in Ottawa do apply here if we do not specially cover those rules in our standing orders. Standing order 1(b), I believe, is the authority that is given to you to do that. However, I do not think that we should assume that the Speaker in the federal House of Commons is always correct. I think that the overwhelming issue you have to decide is a commonsense approach to the implementation of the rules in this place as well as the obligation to respect the government's right to govern and our right to oppose.

I do not think, as I said, that the Speaker at the federal level is infallible; he is not the Pope. Therefore, if you believe in weighing the pros and cons of a question of a point of order, it may be that we will apply those precedents and judgements in a different way in this place.

Our rule 29 sets out our routine proceedings, and our routine proceedings are very clear. We start out with members' statements. Under members' statements there are certain people who can rise and speak and make their statements. The length of time and the number of statements are spelled out. With statements by the ministry and responses, it is the same. The rules governing that section of the routine proceedings are spelled out very clearly in our standing orders, right to the point where we get to question period, and then we get to standing order 34, which is motions.

This standing order spells out what motions can be moved before we get to orders of the day. I will read standing order 34:

"Under the proceeding 'motions,' the government House leader may move routine motions that are part of the technical procedure of the House, such as for times of meeting and adjournment of the House, changes in membership of committees and similar non-substantive motions. These routine motions do not require notice."

This is clearly the point in the routine proceedings where routine motions can be moved. In the past, there have been many times in the Legislature when we have gotten further in the afternoon into orders of the day and the government House leader has come across to the opposition House leaders and said, "I forgot to move a motion," or "There is a motion to replace someone for private members' hour or on membership of a committee. Would I get unanimous consent to go back to routine motions?"

Routinely, unanimous consent is granted, but clearly this routine motion would not be in order if unanimous consent were not granted and these types of motions would not be allowed once we have gotten into orders of the day. Substantive motions certainly would be in order because notices are given, they are printed and they are listed as orders of the day.

It is my view that the motion presented yesterday by the government House leader could be considered as a routine motion. If in fact it was to be considered as a routine motion, it would not be able to be placed any other time during the day than in the section on motions. Then it could be considered to be in order. You would still, I believe, have to consider the impact on other rights that members have to introduce bills. The government has the right to introduce bills, petitions and so forth, traditions that have existed in this Legislature for a long time.

The House of Commons, with regard to the motion to move to orders of the day, does have a specific rule, standing order 59. It is set out in their standing orders. Clearly, they have a provision in their orders to have this type of motion. But I should point out that in the House of Commons, their routine procedure is completely different from our routine procedure.

They have tabling of documents, statements by ministers, presenting reports, introduction of government bills, introduction of private bills, first reading of Senate bills, motions, petitions and questions on the order paper. Question period does not form part of those routine proceedings that take place in the morning. Question period is another order in the afternoon, I believe from Mondays to Thursdays.

Clearly, if we were to allow this type of motion to be put any time during routine proceedings, the effect of that would be that immediately after prayers, a government member could get up and make this motion and say, "I move that we now move to orders of the day," thereby eliminating not only petitions and introduction of bills but also question period. While that was not the purpose of yesterday's motion from the government House leader, your ruling could in fact enable that if you were to say that this motion was in order any time during routine proceedings.

The federal House can never interfere with question period. I think you would agree and all members would agree that question period is the most important part of the day in terms of holding the government accountable and raising questions of the government publicly, therefore playing our very important role of holding the government accountable on a daily basis on the issues of the day.

I continue to argue that these types of changes and motions that are being moved by the government, whether it has been time allocation or in this case the motion to move to orders of the day, are an inappropriate way to start writing our rules. If we do not have the process of coming to consensus on rules, I think while the government might view the effect to be more time for government business in the short term, the end effect will be that this institution will not run smoothly at all on a daily basis.

In the end, the government will create chaos in the Legislature instead of having a relatively smooth time of it. Most of what we do in here is dealt with on a consensus basis; most of the pieces of legislation do not have the opposition members opposing government legislation; in most cases there is agreement. It is in those cases where there is very strong opposition and very controversial legislation that these types of rules start getting built into our procedures. It has been said by more than one member of the Legislature, and in particular by members of the Liberal Party when they were in opposition, that to start writing our rules when we are in difficult circumstances makes for pretty bad law around this place.

It is also of interest in researching this matter that the Ontario Legislature did in fact, in the early 1970s, have a rule that dealt with this matter. It was rule 29. It was in place in 1970 and it read, "A motion for reading the orders of the day should have preference of any motion before the House." That rule was withdrawn from the standing orders of this assembly.

It seems rather strange to me that when there was a decision by consensus, an agreement by all three political parties that that rule was to be withdrawn, that you could interpret it that we did not want to use that procedure here. It is in effect in Ottawa. We did not want it in our standing orders. If in fact you indicate that under rule 1(b), because our rules are silent on the matter now, we are going to adopt the Ottawa rule, I guess the only alternative that we have in the future would be to leave a section like this in the rules but say it is not to be used; in other words, have a negative rule. That seems rather silly to me.

1500

I think the communication to you, to the Speaker, was clear that when the Legislature decided in the 1970s that that rule was to be withdrawn, the message was that we did not want to use that standing order. Whether it is used in Ottawa or not is irrelevant. It is not to be used in the Ontario Legislature, and I think that is the message you should read.

Finally, I am at a real difficulty understanding what this type of motion would have accomplished yesterday if it had been ruled in order. If your decision is based on the fact that the government has the right to govern and, therefore, its agenda should be proceeded with, all this motion would have accomplished yesterday was to move past routine proceedings and into government notice of motion 30.

My colleague the member for Welland-Thorold had the floor, adjourned the debate and would have resumed debating that government notice of motion. He is involved in a filibuster. We are more than willing to admit that. We do not agree with the use of closure. We have indicated, right from the beginning, that we are fighting that motion.

But to use this kind of motion on the argument that it needs to get to government business because the government has the right to govern would not have accomplished anything, because the member for Welland-Thorold would have received the floor again and would have continued talking all afternoon.

So what is the purpose of this motion? It does not accomplish what the government argues it needs to accomplish, therefore it does not protect its rights but does diminish our rights in the opposition to oppose, to question, to present private bills and to present petitions.

In summary, Mr Speaker, I think you should be ruling that this motion is out of order. The House of Commons rules should not always apply in this Legislature. You should be looking obviously at the balance between the government's right to govern and our right to oppose. However, to allow this motion to proceed would eliminate the ability of members to ask questions during question period, if carried to its logical conclusion, to present petitions and to introduce bills.

As I said, we had a provision for this standing order in our rules before. It was withdrawn. That is a clear message to you about the feelings of the members of this Legislature on a consensus basis. I appreciate the way you have dealt with this matter, in reserving judgement yesterday and hearing additional arguments today, and we await your decision.

Mr Eves: On the same point of order, Mr Speaker: I want, on behalf of our party, to put forward the points of view that we have on the motion proposed yesterday by the government House leader. First, I would like to echo many of the comments and sentiments made by the House leader for the official opposition. You are more than aware, I am sure, of your duty as the Speaker of this Legislature to protect the rights of all members and the minority from being abused.

I would simply like to be quite succinct. Standing order 59 in the House of Commons, as I am sure you are aware, specifically addresses this particular type of a motion. It says, "A motion for reading the orders of the day shall have preference to any motion before the House."

Our standing orders of the Legislative Assembly of Ontario have no such similar provision. It is my understanding that a similar provision was in our standing orders up until 1978, but the members of this Legislature made a conscious decision to remove that type of a motion from our standing orders so it would not have a place in this Parliament, in this Legislative

Assembly of Ontario. Despite the fact that that provision had been in our standing orders for many years, I understand that it was never used. The tradition and the parliamentary practice in this assembly since its inception has been never to adopt such a motion.

On 9 October 1989, as I am sure the Speaker is aware, this Legislative Assembly changed its rules and standing orders after many years—and I am not exaggerating—many years of discussion and, I think, fruitful discussion among all three parties. Many, many issues and many standing orders were discussed over that period of time.

We made a conscious decision not to have a similar provision to standing order 59, which exists in Ottawa, in our standing orders. We felt, as members in all three parties, that it had no such place in this Legislative Assembly of Ontario, I would suggest to you, Mr Speaker.

If the government felt that it wanted such a standing order, why was it never brought up during the course of negotiations? Why it is not in the standing orders that this Legislative Assembly adopted on 9 October 1989?

Even in Ottawa, even in the House of Commons, where they have such a provision, I would like to point out the kinds of circumstances in which it has been used. One of the most recent was in 1987, on Tuesday 10 February to be exact, when Doug Lewis, parliamentary secretary to the Deputy Prime Minister and President of the Privy Council, was putting forth his argument to the Speaker in the House of Commons in Ottawa as to why he should be allowed to invoke such a motion.

It was because the government had not been able to get to orders of the day for three consecutive procedural days. No business was transacted under orders of the day in Ottawa. That is a much difference circumstance than we have here, and we do not have here a similar standing order to standing order 59 in Ottawa.

I would respectfully suggest to you, Mr Speaker, that for you to deviate from the tradition that this Legislative Assembly has followed since its inception would be indeed a very, very distinct and different step. I would caution you upon taking that step here this afternoon.

Hon Mr Ward: Mr Speaker, I do appreciate the difficulty that the moving of the motion yesterday creates for you in making a determination. As I said at the outset of consideratior of the motion yesterday, I do understand that such a motion does not form a part of our existing standing orders and that in fact when situations arise, as they do from time to time, that are not covered by the orders, your obligation, I assume, is to look at precedents and look at usages not only in this Parliament but in other parliaments throughout the world.

Much has been made of the fact that at one point this was a part of the standing orders of this Legislature. It has been suggested that it was deleted because it was felt to be an inappropriate mechanism. Unfortunately, none of us can make that judgement, not being part of the consideration at the time at which that order was removed. I think what is most important to note is the fact that as near as anyone can ascertain, the mechanism was never utilized.

I assume it was not utilized, Mr Speaker, because the need to utilize it never arose. Over the course of the past several weeks, as you know, during the course of routine proceedings we have seen the introduction of bills utilized in an effort to either delay or prevent the House from getting to orders of the day. I think that is a very serious situation. In fact, there was day in which we did not arrive at orders of the day.

11 APRIL 1990

I ask you to consider very, very seriously the implications of that as a mechanism to prevent this House from reaching the point in its proceedings in which it does the business of the day. The use of such a delay is a mechanism which can prevent this House from exercising its view, its authority, its action on a previous motion putting forward the will of the House. It clearly can prevent the government from proceeding with its business.

The point has been made here that the introduction of this motion is to prevent a filibuster that is currently under way. I want to assure you, Mr Speaker, there is nothing in this motion that prevents a filibuster. My concern, and it is a very serious concern, is that should a motion pass expressing the will of this House to order its business in any such way as it may choose, whether it be through the allocation of time or whatever, utilizing the routine proceedings to prevent the house from even reaching a sessional day pre-empts any other decision this House may or may not make, and I think that is a very serious situation.

#### 1510

We have heard much about the rights of the minority and frankly those rights are, as they should be, undeniable. There has been no effort or attempt to stifle any member from participating in the debate. As a matter of fact, on two occasions we have moved an extension of the sitting hours so that the member speaking could have more time to make his case and to make his points. We will continue to do so. We are happy to seek unanimous consent at any time to extend those hours so that he may be heard. There has been no attempt whatsoever to curtail the debate.

What concerns me very seriously is that once that matter has been completed and decided, it is absolutely necessary that the government and this House be able to go about their business. It is absolutely essential that the majority in this House as well as the minority has the right to put forward business, has the right to have issues decided, and that is as it should be.

Much has been said about the fact that this motion could be put after prayers. I do not know that. The fact remains it was not put after prayers and it was not put before oral questions. It was put under motions for a very specific purpose, so that once oral questions had been dealt with we would have some assurance that we could deal with the business of the day.

Mr Speaker, I am sure you have in your hands precedents on rulings that have been made in other parliaments under different standing orders and I am sure you have made reference to the various texts that are available to all of us. I hope you will consider very carefully the implications of what has transpired in this Legislature over the course of the past seven to 10 days in terms of routine proceedings being used to prevent this House from doing its business. We very much look forward to your ruling and we thank you for your indulgence.

The Deputy Speaker: I will listen to a few short statements.

Mr Sterling: I feel that this ruling is probably one of the most important rulings we have undertaken in the Legislative Assembly over the past number of years.

I just want to say that as one of the three members of this House who was involved in the negotiation of the new standing orders, this equivalent of federal standing order 59 was never discussed for one minute in the negotiations that took place between the three representatives of the three parties leading to the amendments to the standing orders last October.

I want to indicate also that during those negotiations, in order to reach a compromise, we did consider all the time constraints that were put on our Legislative Assembly by various interests on various sides. The opposition gave up the right to ring the bells indefinitely. In fact, we have given up the right to ring the bells even for five minutes, because the government House leader has the right, as soon as those bells start, to walk across to you, Mr Speaker, and stop them by saying he wants the vote on the next parliamentary day.

519

Mr Eves: The whip has the right.

Mr Sterling: The whip has with regard to the government House leader. So notwithstanding that there is an allegation that the members of the opposition party ran out the time one week ago, that could have been cut short by the government whip if he had chosen to use the existing rules. The opposition House leader asked me why I do not go on his staff. I assume they did that with good intent because they wanted to let some frustrations vent off and they allowed it to go on for a full day. I assume they knew they could do that.

We in the opposition agreed to restrict petitions to 15 minutes, because we felt in the opposition that it was absolutely necessary that every member of this Legislature have some right each sitting day to read petitions to this Legislature from the various interest groups we have to represent. We did consider limiting our right to speak, but that was never for one second a card on the table as far as the opposition was concerned.

Therefore, when we were dealing with the time of day that we are dealing with during a normal legislative day, it was clearly understood, as far as I was concerned, that we would go through the routine proceedings each day and that the government would be left with approximately two and a half to three hours a day to deal with other government business, save and except for the last two weeks of the Legislative Assembly when it can extend, unilaterally, the time for another six hours each night, if it so chooses, by motion. In effect it is unilateral, because they have in this case, of course, the overwhelming majority of the Legislature.

Therefore, I believe that the arguments put forward by my two colleagues from the New Democratic Party and by the member for Parry Sound are valid. I also want to indicate that the motion is really out of the mode of the agreement that was reached in reaching the standing orders. I think it would be a breach with regard to the understanding when those orders were drafted and would be understood to change very significantly the meaning of them by ruling in favour of the government House leader on this matter.

Mr Charlton: Just very briefly, Mr Speaker, I want to address one issue that the government House leader raised in his argument to you. He raised with you a day in the last two weeks when the House never reached orders of the day and attempted to imply that this was because the opposition parties were using routine proceedings to ensure that did not happen.

Again, as my House leader did earlier, we admit that there is a filibuster going on here and that in fact we have used routine proceedings to cause some delays, but the House leader for the government party was incorrect in implying that there was a day when our antics with routine proceedings caused this House never to reach orders of the day. The House never reached orders of the day two weeks ago because the government members in the House were unable to respond in a situation of a motion by a member of the third party for the

adjournment of the House. They did not know what to do and they did not respond and the House adjourned early.

Mr Callahan: As Chairman of the standing committee on regulations and private bills, I feel I have to say something. There are some 10 to 15 bills that are being delayed, legitimate concerns of the citizens of this province, that cannot receive royal assent while this continues.

The Deputy Speaker: I listened carefully to the arguments yesterday. I have listened carefully to the arguments today. I have spent a lot of time going through the material that was provided to me, through the precedents and non-precedents in other parliaments and this Parliament, in former standing orders and in current standing orders. I have taken very careful note of the arguments heard today, and I would like to state that I will take time to look a bit more carefully. I will reserve judgement before I come out with a final statement and decision on this.

**Mr Faubert:** I rise on a point of privilege, Mr Speaker: I feel my privilege as a member of this Legislature has been objurgated. Yesterday, the member for Markham rose on a point of privilege that was ruled not to be a point of privilege. I expect you, the Speaker, also to rule—

Mr Villeneuve: Which just happened.

Interjections.

**The Deputy Speaker:** The member for Markham did not have a point of privilege and I would also state that the member who wants to respond to the member for Markham does not have a point of privilege.

1520

#### **MOTION**

## EXTENSION OF HOUSE HOURS

The Deputy Speaker: Mr Ward moves, pursuant to standing order 9(c), that the House sit past six o'clock.

Hon Mr Ward: This is so the member for Welland-Thorold can have ample time to make his remarks.

The Deputy Speaker: Since more than 12 members have stood up—

Mr Pouliot: Whoa, whoa, whoa.

The Deputy Speaker: In spite of the strange voice we just heard, having more than 12 members standing up there will not be a vote on this motion.

Sufficient members having objected by rising, a vote was not taken on Mr Ward's motion.

### **PETITIONS**

#### SOCIAL ASSISTANCE

**Mr Allen:** I have petitions from a number of persons from various parts of this province who want to petition the government in the following respect:

"It is one year since people from across this province marched on the Legislature to call on the elimination of hunger, homelessness and poverty. Since that time, poverty in Ontario has continued as an epidemic running out of control. Tens of thousands still line up at food banks to stay alive and inadequate income continues to wreck countless lives.

"Today we, the undersigned, have come back to Queen's Park to tell you on behalf of hundreds of thousands who are suffering the effects of the poverty crisis that we can stand no more of your government's neglect of our situation.

"Social assistance rates are still pitifully inadequate; the minimum wage is a form of legislated poverty and a complete disgrace; the crisis of affordable housing puts decent accommodation beyond the reach of huge numbers of people.

"Mr Peterson, enough promises, enough delay, enough half measures. Your first business of your government must be the elimination of poverty. Act without delay."

So say the following signatories, in this case from Sarnia and from London.

#### GREATER TORONTO AREA

Mr Philip: I have a petition:

"To the Legislative Assembly of Ontario:

"Whereas the Peterson Liberal government has decided to charge drivers in greater Metropolitan Toronto \$90 per year for a car licence plate while at the same time only charging residents in other parts of Ontario \$33 per year for identical licence plates;

"Whereas the same Peterson government has in this year's budget imposed other taxes and levies on the people and businesses of greater Metropolitan Toronto which will not be imposed on other parts of Ontario;

"Whereas these taxes which are not based on income or profits hurt seniors and others on fixed incomes;

"We, the undersigned, petition the Legislature of Ontario to express to the Liberal government our great disapproval of its policies of tax discrimination against the people of greater Metropolitan Toronto."

I have signed the petition.

#### SOCIAL ASSISTANCE

Miss Martel: I have a petition signed in particular by people from northern Ontario—North Bay, Sudbury etc. It is addressed to the assembly, stating that it has been one year since people from across this province marched on this Legislature to call for the elimination of hunger, poverty and homelessness.

Since that time, Mr Speaker, you will well know that all of those problems have continued to grow and are now at epidemic proportions. Today, as you will know and as members of the House will know, a number of people marched on this Legislature again. They have come back to tell all of us, on behalf of those others who are suffering, that the government has to respond. On their behalf, I have affixed my name to this petition. I agree with them entirely.

### REPORT BY COMMITTEE

# STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr Callahan from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr36, An Act to revive The P & P Murray Foundation;

Bill Pr40, An Act to revive the Immanuel Christian School Society of East Toronto;

Bill Pr55, An Act to revive Association of Stoney Lake Cottagers Inc;

Bill Pr62, An Act respecting the City of Toronto.

Your committee further recommends that the fees, and the actual cost of printing at all stages and in the annual statutes, be remitted on Bill Pr36, An Act to revive The P & P Murray Foundation.

Your committee further recommends that the fees, and the actual cost of printing at all stages and in the annual statutes, be remitted on Bill Pr40, An Act to revive the Immanuel Christian School Society of East Toronto.

Motion agreed to.

#### ORDERS OF THE DAY

## TIME ALLOCATION (continued)

Resuming the adjourned debate on government notice of motion 30 on time allocation in relation to Bill 68, An Act to amend certain Acts respecting Insurance.

Mr Kormos: I appreciate the support that the members of this assembly—all members from all three parties—have given me over the last couple of weeks. I appreciate the efforts on the part of the government to make more time available to us for the discussion of this most important matter.

I want to do what I have done more than a couple of times and that is, at the onset of afternoons like this, it is always—I should mention, if I can take this liberty, that after listening to the government House leader for the last half hour, I am wondering who is being more filibusterist, the government members or myself? I was inclined to think that the government House leader was more inclined to display filibusterist tendencies in the last half-hour than we have over the last several days.

It remains that once again today we are talking about a motion brought by the government, brought by the Liberal House leader, certainly not by us and certainly not by the third party in this instance. That motion is what we, colloquially around here, call a time allocation motion. That is what we are speaking to here and now. That is what we are speaking to today, a time allocation motion or a closure motion or a guillotine motion. That is an historical term that has been applied to these.

This particular motion that we are going to spend at least part of the afternoon with—I do not know whether I will be able to complete this afternoon or not. This motion, moved back on Tuesday 3 April 1990, is as follows, and I read this so that the members of the assembly can address their minds once again to exactly what it is we are talking about. We are not talking about Bill 68. That is the sad part of it, because we in the New Democratic Party would dearly love to debate Bill 68. We are talking about a motion moved by the government, the purpose of which is to deny the opposition the right to discuss and the right to fulfil its obligations to the public, to its constituents, to the voters of Ontario and indeed its obligations as members of this assembly.

We are confronted once again today with a motion that speaks in the following terms, "...notwithstanding any standing order or special order of the House, in relation to Bill 68"—that is what is perhaps most troublesome about this particular time allocation motion, in that it appears at first glance to want to restrict debate solely on Bill 68, and indeed that it does.

But we know that this motion, this time allocation motion, this closure by the government majority, by the Liberals is becoming a trend, a habit; it is becoming a tendency. That is what makes it all the more important to nip this malignancy in the bud right now, as it were, if I can mix my metaphors for the briefest of moments. This is a malignancy that is affecting not just the Liberals at Queen's Park, but clearly their federal cousins, the Tories, at Parliament Hill.

#### 1530

The Tories in Ottawa are as eager to employ closure motions, to stifle debate, to muzzle the opposition, to, if you will, eunuch the opposition as their Liberal clones are here at Queen's Park, because their Liberal clones the Premier, the Minister of Financial Institutions and the rest of that Liberal caucus would want to muzzle the opposition, would want to end debate. The proof really is in the terms of this motion.

Again, I am just going through this at the onset so that we can create some structure, some framework, within which to structure our comments this afternoon.

So although it appears to be in relation solely to Bill 68, and indeed this particular motion very much is, it is part of a trend, part of a tendency, something that all of us have an obligation to interrupt, to put a halt to; We must put a halt to this trend, put a halt to this tendency.

What this motion says is that "in relation to Bill 68, An Act to amend certain Acts respecting Insurance, two sessional days shall be allotted to consideration of the bill in the committee of the whole House."

What that means in practical terms is two short afternoons. That is what this motion would have. It would have this Legislature discuss a most important piece of legislation, the 30 or so amendments that the Liberals have already tabled, the 20-plus amendments that the Conservatives have tabled. And we make no bones about it. We in the New Democratic Party have not moved any amendments to Bill 68. We see it as such a despicable, unacceptable, thoroughly nasty bit of legislation—so despicable, unacceptable and nasty that it is beyond amendment—the only action that is warranted with respect to Bill 68 is defeat, is to dump it, is to toss it out on the trash sheet along with the rest of the garbage.

But it remains that but two afternoons would be permitted if this House lets this motion pass, this time allocation motion; but two afternoons would be permitted pursuant to the terms of that motion for discussion of the bill, the amendments by the Liberals and the amendments by the Tories. It is just not enough time from any intelligent person's point of view, from any thinking person's point of view. There simply is not enough time in those two afternoons to read the amendments that are being proposed, are there, Mr Speaker?

Now, the motion that we are speaking to this afternoon goes further, because it says, "All amendments proposed to be moved to the bill shall be filed with the Clerk of the assembly by 5 pm on the first sessional day on which the bill is considered in committee of the whole House." That is not onerous in itself, because that is not an unreasonable expectation and, really, that is somewhat in compliance with the standard terms.

"At 5:45 pm on the second of these sessional days, those amendments which have not yet been moved shall be deemed to have been moved and the Chair of the committee of the whole House shall interrupt the proceedings and shall, without further debate or amendment, put every question necessary to dispose of all remaining sections of the bill and any amendments thereto, and report the bill to the House. Upon receiving

the report of the committee of the whole House, the Speaker shall put the question for the adoption of the report forthwith, which question shall be decided without amendment or debate." Without any debate.

This motion is really an extraordinary move on the part of the Liberals here. They do not even want to pretend that they are going to deal with the points raised by the opposition, do they, Mr Speaker? They are not even going to put on a show. They are feeling their oats. They are demonstrating an arrogance so profound and so unprecedented that they are not even going to fake it. They are simply going to say: "No. There will be no debate. We're the majority. That's the way we want it. That's the way it's going to be," without any concern for parliamentary procedure, without any concern for tradition, without any concern for the rights and obligations of the members of the opposition.

So "the Speaker shall put the question for the adoption of the report forthwith, which question shall be decided without amendment or debate."

"That one further sessional day shall be allotted to the third reading stage of the bill. At 5:45 pm on such day, the Speaker shall interrupt the proceedings"—it does not matter how far they have progressed—"and shall put every question necessary to dispose of this stage of the bill without further amendment or debate."

The final portion of that motion is, "That in the case of any division relating to any proceedings on the bill, the division bell shall be limited to five minutes."

That is the motion, and that is the motion that I purport to speak to this afternoon, continuing on from yesterday. Yesterday I was interrupted by virtue of it being six of the clock while midway through my consideration of the issues raised by Mr Justice Haines with respect to Bill 68. The reason I was referring to that criticism was that it is my view that before one can consider the appropriateness of a time allocation motion, one has to look at really how weighty the issue is, really how much debate is warranted. Is it something about which there is really little at issue? Is it something about which the parties are really ad idem or is it something about which there is a whole lot of contentious stuff?

With reference to Mr Justice Haines's criticism, again I appreciate that the Speaker could say, "Well, you could go on and refer to countless numbers of people." Sure, and I am going to refer to more than a few, but I am going to refer to those criticisms which in themselves have significance because of their source or because of what they say or indeed because of both.

I also talked about opinion across the provincial community, and that is to say that I very strongly submit that it is important, and it should be important to each and every member of this assembly, that when one considers this time allocation motion, one considers whether or not people across the province have concerns about the bill itself. If there is no concern about Bill 68, then I can appreciate that it would require but a modest period of time for debate.

There is simply no way that one could ever buy two afternoons for committee of the whole House. Even the most trivial, most modest proposition on the part of the government could arguably require more than the briefest of times that it has allowed in this motion. But here we have a bill, a set of amendments and amendments to the amendments that constitute such major, radical change to the rights of so many people here in Ontario, and the people are well aware of that. I noted Siobhán Gibson and her interest in this proposed legislation, Bill 68. Indeed, she gathered names on a petition which she has presented to my office, hoping that petitions would still be allowed in this Legislature and that it would be presented before the end of this week. I shall endeavour, on behalf of Siobhán Gibson, to present that petition. It is a petition that she gathered with her classmates in high school condemning Bill 68 and what it means and how it strips people in Ontario of their rights.

#### 1540

Edward Jup telephoned. He encourages us to carry on in this fight to acquire proper periods of time for the debate of Bill 68. Jerry Taciuk called and gave us encouragement to carry on this fight to ensure that there is a full and thorough debate about Bill 68. He is from Islington. Doug McIntee from Burlington phoned in and said, "Making great sense about Bill 68. Congratulations." Again, it is important to understand that people across Ontario are listening, watching and that they have concerns that Bill 68 cannot be properly debated in the short period of time allowed in this time allocation motion.

John Wever from MacDonald Place in Waterloo in a brief phone call said, "Watching you on TV doing a great job helping the case of poor victims against the rich insurance companies." He points out that he is not a New Democratic Party supporter. He thinks that Bill 68 is a total scam for taxpayers. He says that OHIP is going to have to pick up the bill that insurance companies pay now. He talks about how sitting members whom he had voted for in the past who were not New Democrats seemed to be asleep except for around election time. Mr Werer phoned us, saying: "Liberals are backed into a corner on this issue. They know it is a bad piece of legislation."

I want to thank those people and others who have been phoning in giving words of encouragement. I want to tell them that their opposition to Bill 68 is widespread. Their concern about the inadequate period of time that would be permitted by virtue of this time allocation motion is of great concern to us in the opposition. It should be of great concern to members of the Liberal Party.

Let me run this one past you, Mr Speaker. This motion provides about the briefest period of time for discussion of a bill that has ever been permitted in any time allocation or closure here at Queen's Park. That is number one. Number two is that this motion was presented after about an afternoon and a half of debate, before there had been any real demonstration of an unwillingness on the part of the Legislature to deal with the matters before it. So it is, in itself, a horrible precedent.

I put this to you, Mr Speaker: The Liberals here should have great concern about this motion because when they form the opposition, when they are defeated by the electorate of Ontario—because the people in Ontario simply are not going to tolerate representatives who vote for bad legislation like Bill 68. People of Ontario are not going to tolerate members who support Bill 68. People of Ontario are not going to tolerate members who would support regressive tax grabs.

Mr Pouliot: That picks their pockets.

Mr Kormos: Yes, a government that has habitually picked the pockets of hardworking people, seniors, single parents and students here in Ontario. So the Liberals should be concerned about this motion and they should be eager to defeat it, because when they are back in the opposition by virtue of a general election, then they will be the potential victims of this type of precedent. To that end, I suppose the whole matter could be

11 APRIL 1990 523

resolved here and now if the Premier would simply announce an election in the province.

We would not utilize more of this House's time to discuss this matter. We would not have to, because we could go directly to the people and let the people of Ontario decide about the future of members who would support, one, such an atrocious piece of legislation as Bill 68 is and, two, a time allocation motion like the one before us now that would restrict debate in such an unconscionable way, a motion that really reflects the jackboot mentality of the Liberals here at Queen's Park.

Members will recall, and I do want to carry on where I left off yesterday, that I had been discussing the critique of Bill 68 by Mr Justice Haines, one that was contained in a letter to the Minister of Financial Institutions dated 8 January 1990. I know I have received some phone calls about people wanting a copy of Mr Justice Haines' critique. They need only call us here at Queen's Park, 965-7714, that is area code 416, and we would be pleased to send them copies of Mr Justice Haines' critique of Bill 68 or indeed any of the other material to which we have made reference during the course of these discussions here in the Legislature.

I repeat once again, we in the opposition would dearly love to see the government, the Liberals, show sufficient courage to face the electorate over this particular issue. It remains that there is no good reason to call an election in the fall. That will be cheap opportunism on the part of a party that is going to juggle around with the polls and sort of take a stab at it, as much a stab in the dark as anything is, in view of what it could see or perceive as the polls putting it in the best possible light.

It is a government that the Supreme Court of Canada salvaged, to a certain extent, by virtue of the Starr decision. It is a government that wants to hide behind and utililize pettifoggery in its interpretation of the Supreme Court of Canada Starr decision to avoid confronting the real issues of ethics and morality. Indeed, this government breathed a sigh of relief when it realized it could hide behind the gowns of the Supreme Court of Canada when it comes to Patti Starr and fridges and paint jobs. I mean, it is the old Kelvinator and Sherwin Williams defence, is it not? It could hide behind the gowns of the Supreme Court of Canada when it comes to fridges and paint jobs. It could hide behind the obfuscation contained in its grandiose announcement of its Ontario motorist protection plan and all the glossy stuff that went along with that.

Well, we say no. We say that this warrants debate. We say that it is not good enough to be permitted but two afternoons for committee of the whole consideration. It is not good enough to be permitted but one half-day for third reading debate when that glossy announcement of the Ontario motorist protection plan is so thoroughly full of holes. Indeed, to the contrary, it is the Ontario insurance protection plan. I will tell members where this should go. This should be tossed in the trash heap as well, because it serves not to protect the interests of drivers, taxpayers or injured people in Ontario; it serves only to enhance and bolster the profitability of already profitable insurance companies.

## 1550

Mr Justice Haines, in his critique—as I say, we refer to that because that is but one of many illustrations of the need for considered debate on Bill 68. Members will recall that I had reached the point in his critique where he talks about how people are victims, in his experience. I am talking of Mr Justice Haines, appointed to the bench in 1962, serving through to 1982; appointed to the bar of Ontario in 1927 and practising

personal injury law since that time. What a wealth of experience and expertise upon which to draw to provide assistance to all of us, to provide the meat for debate, a debate which is being denied us by virtue of the motion before us now.

Mr Justice Haines, in his letter to the minister, spoke about the delivery of no-fault benefits and referred to what Mr Justice Osborne found in his inquiry, and that is that "the insurance industry's performance in this area"—in the area of no-fault benefits—"is nothing short of abysmal." Atrocious, horrible, horrific, thoroughly unacceptable is what Mr Justice Osborne said, and Mr Justice Haines adopts that.

Mr Justice Haines goes on to say that, "For this reason he"—Mr Justice Osborne—"recommended arbitration that must be binding on the insurer." Mr Justice Haines notes that, "While Bill 68 provides arbitration it fails to accept the companion recommendation" of Mr Justice Osborne which is so crucial to an arbitration option, "'to establishing an arbitration division within the court system. Judges involved should have some specific interest and expertise.' "That is what Mr Justice Haines says when he adopts the language of Mr Justice Osborne.

Mr Justice Haines goes on to indicate that, "Even to pursue their meagre benefits the injured victim must now run the gauntlet with the traditionally reluctant insurer before a new bureaucracy of government"—and this is what he says about this creature manufactured by the Liberals in Ontario—"that almost certainly will have neither the respect nor the depth of legal experience of the existing judiciary."

We very much want to talk with the minister, we want to debate with Liberal members the significance of that comment and we want to discover whether or not that conclusion by Mr Justice Haines is indeed substantiated by what is or what is not in Bill 68. I can tell the members that it is our position that Bill 68 does not adequately provide for dispute resolution between first parties and their insurers, does it? It does not provide for that, and Liberal members who have read the legislation know that we are entirely correct in that regard, and I see them nodding now in agreement.

It does not provide for appropriate dispute resolution between insureds and their insurers. The mechanism that it imposes—and I know that the same persons who agreed with me on my last suggestion, the same Liberals who nodded their heads in affirmation, will do the same now, correct? Yes. The mechanism that is created "will have neither the respect nor the depth of legal experience of the existing judiciary."

Once again, I see a large number of members of this Legislature agreeing with me. I am pleased. My concern is that without full debate those people who express agreement with me now will not have an opportunity to join in the argument and perhaps persuade their fellow Liberals of the weakness of their position, and that is to say those fellow Liberals who would persist in supporting Bill 68, notwithstanding all of its shortcomings, all of its deficiencies, all of its discriminatory qualities, all of its cruel qualities, those qualities that would take away the rights of innocent injured victims to be compensated for pain and suffering and loss of enjoyment of life.

During the course of talking about this time allocation motion, I have noted that the pages have been as attentive and as interested as any member of the community could ever be. They have, I know, paid close attention to the discussion about time allocation, close attention to the discussion about the necessary discussion of Bill 68 that is inherent in any debate about time allocation. Those pages will form their own conclusions. Again, we certainly do not expect them—

Indeed, in their role they are very much like you, Mr Speaker. They have to maintain an independence, but that does not mean that, when they go home at night and reflect on what they have heard and in their minds reflect upon what is just and what is unjust and what is fair and what is unfair, they cannot form opinions. Indeed, they are entitled to do that. They are as entitled to do that as you are. What they are prohibited from doing is, of course, expressing those opinions while they are in their role as pages, just as you are as Speaker. Similarly, they are prohibited from letting those opinions prejudice them, interfere with the performance of their duties.

Just because some of the Liberals here persist in supporting this time allocation motion, I would not expect any of the pages to refuse to get water, let's say, for those same Liberal members or to treat them with any less respect than they treat the members of the opposition or the members of the third party. I know it is difficult for the pages, but that is the challenge they face, really, as young professionals who display a talent and indeed an aptitude and a cleverness about them, as impressive a group of pages as we have ever had here at Queen's Park.

I bet you right now, Mr Speaker, that more than a few of them will be in this Legislature in the years to come, not as pages but as members of this assembly, or perhaps as Speaker. Indeed, it has been pointed out that if the government does not withdraw this crummy motion for time allocation, notwithstanding that it will take them 10 years, give or take, to finish high school and university, they may be here in time to carry on with this debate about time allocation and Bill 68.

Mr Kerrio: I'd pay big money to have them take your place.

Mr Kormos: I would not count on that because I will bet the member, knowing how bright some of these young people—most if not all of them—are, they would have persuaded the Liberal members to dump Bill 68 and to dump this time allocation days ago. I extend my compliments to all of the pages who have graced us with their presence over the last several weeks. Their families can by very proud of them, and they should be very proud of themselves. I know that they all face promising futures.

Mr Justice Haines, talking about Bill 68—again, it is important to look at the concerns expressed because this is what will indicate or illustrate or demonstrate what has to be debated during the course of committee of the whole.

You know, Mr Speaker, that Mr Justice Haines writes this without bias, without prejudice, indeed without passion.

1600

Mr Cousens: On a point of order, Mr Speaker: I would just share with the House the passing of Harold Ballard. I would like to make a comment on that because I know it would be of interest to other members of the House, just for a brief moment.

Today we will mourn the passing of one of Canada's finest sportsmen, Harold Ballard. He passed away after a feisty battle with illness. He exemplified the true, albeit old-fashioned, all-Canadian spirit of hockey. He was far more generous and charitable than many of us realize.

Sports, and hockey in particular, will miss a great patriot with the passing of Harold Ballard. He called a spade a spade without the political couching that many of us find we must use.

His vastly improved Maple Leafs are still in a position where they can make it to the top. Hockey in Ontario suffered a major setback today with Mr Ballard's passing. Young Ontario hockey players never had a better crusader working to ensure them an opportunity above all others in the big hockey league.

The Acting Speaker (Mr Cureatz): I thank the honourable member for bringing that to our attention. I would suggest to other members that possibly tomorrow would be a more appropriate time for all members who wish to participate representing all parties.

Mr Kormos: I am pleased to have this ongoing opportunity to talk about why we must, not just should, abandon this time allocation motion, why we must defeat it; why not only New Democrats will vote against it, and rightly so, but why enough Liberals must vote against it if they are going to fulfil their commitment to their constituents, if they are going to fulfil their commitment to their oath upon becoming members of this assembly, if they are going to fulfil their commitment to their respect for parliamentary procedure and democratic principles.

After I am finished with Mr Justice Haines's critique, I am going to start referring to the statement the Minister of Financial Institutions made to the Ontario Legislature back on 23 October 1989. That was on the occasion of first reading of Bill 68. I am going to refer to that because there are a whole bunch of things in there that give rise to the need for a prolonged debate over Bill 68.

Look what Mr Justice Haines says about no-fault benefits: "Even to pursue their meagre benefits, the injured victim must now run the gauntlet with the traditionally reluctant insurer before a new bureaucracy of government that almost certainly will have neither the respect nor the depth of legal experience of the existing judiciary."

Again, seeing the nodding heads of Liberal members here, I sense an agreement with that proposition.

"As disputes between policyholders and insurers will be decided by government officers, predictably the government will be forced into the insurance business, with the Ontaric Automobile Insurance Board achieving something of a cancerous growth in terms of manpower and government revenues." Mr Justice Haines talks about the malignancy that Bill 68 is going to nurture, that Bill 68 is going to foster.

"Equally predictable, the promised saving to the public because of the threshold will become a mere down payment for the new system. Much like the rent review board, it can be anticipated that compensation cases will grow to a two-year backlog. The government may even be forced to extend the two-year limitations period Bill 68 allows for insurance companies to be sued."

Think about that, Mr Speaker. You know exactly what he is talking about because you are an experienced trial lawyer. You know exactly what he is talking about because you know, M Speaker, as an experienced member of the bar in Ontario and a respected one, that currently the limitation period for motovehicle accidents under the Highway Traffic Act, as I under stand it, is two years and that the limitation period is sort of like a threshold. It bars people from pursuing their remedies, does inot? Quite right.

What Mr Justice Haines, with his wealth of experience indicates is that there is going to be such an incredible backlog in the administration of the commission and tribunal that thi government would purport to create that it may even necessitate altering the long-standing limitation period of two years. This is what he writes, "The government may even be forced to extend the two-year limitations period Bill 68 allows for insurance companies to be sued." It means the limitation period for actions and then the new limitation period for suing insurance

companies themselves, because even in Bill 68 that limitation period is extended to be compatible or concurrent with the limitation period under the Highway Traffic Act for personal injury actions pursuant to motor vehicle accidents. He is saying that no, the new, expanded two-year limitation period that Bill 68 provides may not even be adequate because of the incredible backlog that there is going to be.

Here is another tax grab that is hidden away in Bill 68. The Liberals at Queen's Park were not content just to pick pockets; they want to take the taxpayers of Ontario, turn them upside down, shake them by their ankles and shake every last nickel and dime out of them, do they not? I know members understand that, another hidden tax grab contained in Bill 68. This is what Mr Justice Haines has to say: "It's foreseeable that government will be asked to expand its legal aid plan to assist injured and impecunious accident victims." Members know what that means.

Interjection.

Mr Kormos: For the benefit of that member, I will explain it. It means a victim without money. Does the member understand now? Yes, the impecunious accident victim. Again, for the benefit of that member, it is spelled i-m-p-e-c-u-n-i-o-u-s, and if the member does not have a dictionary I will lend him

The impecunious accident victims or the injured accident victims will be forced to call upon legal aid plans in their respective areas. Legal aid will be called upon to assist these people, injured and impecunious accident victims, with both arbitration and with the lawsuits, because there is nothing about this top-heavy scheme that the Liberals create in terms of their so-called commission and dispute resolution in Bill 68 that precludes the use of lawyers. Indeed, lawyers are going to become busier than ever under Bill 68, and it is just as well because there are a few members of the Liberal caucus who practise that fine profession who are probably going to see themselves back in their law offices after the next general election if they persist in supporting Bill 68.

So to those Liberal lawyers here at Queen's Park I say, "Don't worry. If Bill 68 passes, you will not have a job at Queen's Park because your constituents are going to vote them out, but there will be tons of litigation for you because Bill 68 provides litigation opportunities that the present system has never dared contemplate." That is the truth. I see there are three or four of those Liberal lawyers nodding their heads, and indeed they have got their pocket calculators out and they are looking at the cost differential. Put the calculators away. The members

are going to do just fine.

"Of course, Mr Justice Haines, writes, "the complexity of this new bureaucracy will compel insurers-

1610

Mr Curling: Point of order, Mr Speaker.

The Acting Speaker: The honourable member for Scarborough North has a point of order that most people want to listen to.

Mr Curling: Mr Speaker, I want to draw your attention to the standing orders of the Legislative Assembly, orders 19(d)1 and 3, especially order 3, where it states if the member, "Persists in needless repetition or raises matters that have been decided during the current session."

An hon member: What page is that?

Mr Curling: Page 4 and page 5.

I have listened very carefully, read the Instant Hansard, which I have here, and seen many repetitions, unless you want me to read those repetitions.

An hon member: Hansard is just photostating them at this

Mr Curling: I feel that the honourable member continued to have this needless repetition and raised matters that have been decided upon.

Let me tell you, on my point of order, Mr Speaker, what this has caused. There is An Act to revive Gursikh Sabha Canada, which was introduced as Bill Pr58, which this corporation is awaiting in order to proceed with its business of the day. The member continues to repeat things that have been stated before, and this corporation cannot conduct any business unless we proceed with the process of the day. I do not mind being here listening to things that are new, but this continuous repetition that has caused small companies and small corporations like Gursikh Sabha Canada, which want to proceed with their business-

I would like you to rule on this matter of repetition, Mr Speaker. I can submit to you the Instant Hansards and you can read them too. I know you have listened very carefully, but just for your aid I will submit these to you, if you wish, but I do not think it is necessary because you have listened and heard repetition. I think it is a disgrace that we hold up this situation and this organization and many organizations like that across this province that need to continue their business.

That party and honourable member who advocate for the small man-as Mr Broadbent says, the "average man" is now waiting to continue his business. I think this repetition has caused a lot of embarrassment and maybe for this corporation not to exist. I ask that you rule on that, Mr Speaker.

The Acting Speaker: The honourable member for Scarborough North has made an inquiry of me in terms of a specific ruling, which brought to my attention, interestingly enough, that the member must have the old abridged edition of our standing orders, because there is a new abridged edition of October 1989. I only point that out to the honourable member for Scarborough North, but he is not the only one, because from time to time it is brought to my attention on various sections which is the old edition.

Notwithstanding that, it is a very important point of order and I am willing to listen to the honourable member for Nickel Belt respond to the honourable member's point of order so that I may have the opportunity of having full dialogue.

Mr Laughren: Thank you, Mr Speaker. I appreciate the opportunity to engage in the debate. I was not intending to until I was provoked by the member for Scarborough North.

The member for Scarborough North should know better than to challenge the member for Welland-Thorold, who in his very short length of time here has made an enormous contribution to the debate. I should remind—I know I do not have to remind the Speaker, but it is clear that the government House leader had the opportunity to call any order of business he chose when it was his opportunity to do so. The government House leader chose to call the order of business dealing with closure, time allocation, call it what you will. Surely, given that fact, the member for Welland-Thorold has an obligation to debate that very important motion.

The Acting Speaker: I am then beholden to listen to one further comment by the honourable House leader for the government.

Hon Mr Ward: The only other comment I had is that there are important matters before this House. I think the member has made a very legitimate point, but we are prepared to allow for extra time and I am willing to move that, pursuant to standing order 9(c), we extend the hours past the normal adjournment time of six o'clock.

The Acting Speaker: Speaking to the original point of order by the honourable member for Scarborough North, I listened very closely to the honourable member, I listened very closely to the honourable member for Nickel Belt, and I want to remind all honourable members that when I have had the opportunity of sitting in the chair and acting as Acting Speaker, I have always been very conscientious to make sure that each and every honourable member, no matter what his political affiliation, always has the benefit of the doubt in terms of allowing his expression to be heard. I can only think of the opportunity that I gave to the honourable member for Yorkview yesterday. Even when he stood up without asking for a point of order, I allowed him the opportunity to stand, recognizing him so that he might express his thoughts and concerns.

I would like only to comment to the honourable member for Scarborough North that he does indeed raise a very important issue in terms of the new subsection 23(c), persistent, needless repetition.

The difficulty I have, and I say to him that with a number of humble years of experience that I have had in these chambers, it is not the precedent of this House for this office to make a new precedent in terms of such a ruling.

I have been conscientious from time to time when I have sat in the chair to ensure that the honourable member for Welland-Thorold has at least acknowledged in his discourse recognition of the time allocation motion in his discussion. I have been very conscientious when not in the chair, watching the monitor, to make sure, as tedious as some of us might think it is, that his remarks are consistent throughout the day.

I listened very closely before taking the chair. He indicated that he had an approach this afternoon which covered a large area of explanation. I have been listening now in the chair, and if from time to time it is repetitious to me, I have reminded him, which I think he might acknowledge, but under the circumstances, I have to advise the honourable member for Scarborough North that I do not now recognize his point of order and rule that the honourable member for Welland-Thorold's remarks are not in contravention of our standing orders which all of us have acknowledged. I would now allow him to continue.

Mr Kormos: Thank you, Mr Speaker—

The Acting Speaker: At this time, the honourable House leader for the government has a point of order.

Hon Mr Ward: Mr Speaker, maybe you can help me. As I understand it, during a consideration of a previous point you did recognize me. I had the floor. I made a motion. The standing order says that such a motion should be put forthwith.

The Acting Speaker: I thank the honourable House leader for his moving the motion. Again, I have had the opportunity—would you like there to be further discussion on the possibility of the government always allowing the full ambit of discussion?

Mr Eves: On a point of order, Mr Speaker: There is no such thing as moving a motion on a point of order, and I am sure the government House leader is more than aware of that.

Mr Callahan: You weren't here when it was moved.

Mr Eves: I do not have to be here to know that, unlike some of the members who were here and do not know it.

**Mr Laughren:** On a point of order, Mr Speaker: I would only disagree with the member for Parry Sound on one matter. I do not think that the government House leader does know that he cannot move a motion on a point of order.

The Acting Speaker: I think I would allow the government House leader an opportunity in terms of summing up his concerns on moving the motion.

Hon Mr Ward: My only concern is that I was trying to be helpful, to allow some additional time to consider the matter that was raised by the member from Scarborough to give a little more time to the member for Welland-Thorold to get to the point.

The Acting Speaker: Under the circumstances, I am sure all honourable members would indulge me the opportunity of recognizing the honourable member for Cambridge.

**Mr Farnan:** I would at this time like to invite all of my colleagues in the House to join me in recognizing the outstanding contribution of the member for Welland-Thorold in this fantastic explanation, and a round of applause.

1620

The Acting Speaker: Order.

[Applause]

The Acting Speaker: Order. I would only like to bring to the honourable member for Cambridge—

Interjections.

The Acting Speaker: Order. He is taking advantage of my good graces, because he was to speak to the point of order of the honourable House leader moving a motion. It is only because I recognized the honourable member for Cambridge that I will allow one further recognition, speaking to the point of order.

Mr McClelland: Actually, it is a point of clarification, because I want to know: Does the member for Cambridge mean that the member who has been speaking for four days has finally broken through the record and that is the reason he is being applauded?

Interjections.

Mr McClelland: If that is—

[Applause]

The Acting Speaker: Order. The honourable House leader had proposed under a point of order to bring forward a motion, and after listening to all discussion, I can only advise him that of course his motion is out of order and I would like to recognize the honourable member for Welland-Thorold.

Mr Kormos: I am indeed flattered by the support that I receive, not only from the members of my own caucus, the New Democrats, but from the Liberals sitting here in the Legislature. The applause of my fellow New Democrats warms my heart; the applause I just heard from the many Liberals sitting here excites my soul, I tell them that. I welcome the support, not only of my own colleagues in the New Democratic Party, but I especially welcome the kind, kind gestures of support by the Liberals here.

Let's talk for the briefest of moments and let me interrupt my remarks to point out that there is a simple solution to this bottleneck, to this, as it is, intellectual gridlock that appears to have been met here. All that the House leader for the Liberals has to do is withdraw his motion. All that the House leader has to do is withdraw his motion. Now I tell the House leader, please, just send over a note, or the siblings Grimm, House leader or whip, one or the other, send over a note that I can pass on to my House leader, saying the government recognizes, the Liberals recognize, how dumb and stupid this time allocation motion is. The government and Liberals recognize really how much time could have been devoted to Bill 68 but is necessarily, because of their time allocation motion, their effort to guillotine, so unnecessarily being spent on this motion, because it is so important.

Do not forget the comment that was made, and that is to say that the government House leader orders the business of the day, does he not? It was only at the grace of the government House leader that I was able to carry on my discussion of this motion today. Had the government House leader put other business before the House, I would have had to wait until tomorrow, or Tuesday or Wednesday or Thursday, to carry on with my discussion of this time allocation motion.

So there you go. The Liberals are indeed the authors of their own misfortune, are they not? The Liberals have basically cut off their own noses to spite their own faces, and that is sad, because what we are talking about here is a demonstration of disdain, disregard for the public, for the rights of the public, for the rights of taxpayers. The Liberals, by virtue of trying to ram through highly unpopular legislation, are generating a confrontation here at Queen's Park that is going to leave its scar on this institution for a long, long time, and that is a sad thing. It is one thing to confront individuals. It is one thing to even attack personalities. But it is another to show thorough disregard to the rights of the public of the province. I am talking about millions and millions of people in the province of Ontario who place a great deal of trust in this institution, and that trust is being betrayed by the Liberal members of this assembly.

So I say in some respects it is a sad day. It is a sad day that the Liberals would want to impose their arrogant will on a public that says, "No, no, no, to Bill 68." It is a sad day that the Liberals of Ontario would sell out the public, sell out the senior citizens, sell out the children, sell out the women, sell out the farmers and the small business people, all at the demand and the insistence of a very profitable automobile insurance industry. It is a sad day, and I am saddened by it.

I know my colleagues in the New Democratic Party are saddened by it, and I know that there are Liberal members who want to vote against this time allocation motion. There are Liberal members who want to let their constituents know that they are not going to join with the jackboot tactics of their Liberal leader and their Liberal majority. These Liberal members want to be able to go home to their ridings, if they do indeed go home this weekend, it all depends on whether or not there is an extension of hours tomorrow, but these Liberals would want to be able to go home to tell their constituents, "I voted against time allocation, I voted against the motion that the Liberal House leader brought to restrict the amount of time for debate over Bill 68," so that they can go back to their ridings and tell the people, so that they can tell their families, so that they can tell their children, so that they can tell their kids that their mom or their dad believes in democracy.

So I know that there are Liberals here today who want their House leader to withdraw this motion. There are Liberals here

today who would want the question to be called, so that they can vote against time allocation, so that when they go home they can tell their kids that their dad or their mom believes in democracy, believes in the principles that are centuries old in our parliamentary tradition.

I feel badly for those same people, because the force of the jackboot does not just oppress the opposition, it oppresses those same Liberal members who would dearly love to vote against their House leader and vote against the directions and the instructions of the auto insurance industry but who are fearful for some reason about doing that. They are fearful about that, or perhaps they will not get donations from the auto insurance industry at election time like so many Liberals did.

Let me tell those people that there are other sources of funding at election time. You can hold bake sales. You can hold raffles. You can hold auctions. You cannot rely on the auto insurance industry for all of your funding. There are other ways to do it.

Mr Callahan: On a point of order, Mr Speaker: The member is unduly avowing motives to members in this House in terms of—

The Acting Speaker: Imputing.

Mr Callahan: —imputing motives to members of this House as to why they would vote on this legislation. I am asking you, Mr Speaker, to rule on the fact that he should withdraw it. It is certainly a comment that should be made by no member of this House, and this gentleman has made it consistently for four days.

The Acting Speaker: Actually, I missed the point of order. I am not sympathetic to your comment that for the last four days he has imputed motives. That is a generalization that from time to time we want to make in these chambers. If you want to speak specifically to what the honourable member said in terms of imputing motives about the manner in which they should or should not vote to the legislation, I am maybe a little sympathetic, and I could only advise the honourable member that from time to time imputing motives in terms of what other members should or should not do under our standing orders is not allowed.

Interjections.

Mr Neumann: Withdraw.

The Acting Speaker: I am supportive of that. If the honourable member for Brampton South is so offended that he feels—do you feel personally that the honourable member for Welland-Thorold indicated specifically that he was imputing motives in terms of why you are supporting the legislation?

**Mr Callahan:** I certainly do, Mr Speaker. I suggest that he is imputing that to every member of this House, and I rise and say that he is full of—

The Acting Speaker: Just as soon as you sit down, I will have the opportunity of responding. Thank you very much.

The difficulty I have from time to time is in terms of the generalizations that honourable members make. In this particular case, you personally feel affronted. I am sympathetic with that because I think the adherence to proper decorum in these chambers is foremost in the Chair's mind.

I would only ask the honourable member for Welland-Thorold in the fairness of approach in terms of imputing motives, that you withdraw the statement suggesting that in any degree whatsoever you were imputing motives to other colleagues of ours in the chambers.

#### 1630

Mr Kormos: Mr Speaker, I cannot tell you how thankful I am for your direction and guidance once again. I want to tell you now that if I have ever imputed motive in the past, if I have imputed motive in the present and if I ever do it in the future, I withdraw it now. I tell you that, Mr Speaker, because I am the last person in this House who would want to violate the standing rules.

We are the ones who fight for them on a daily basis. Is that not true, Mr Speaker? We are the ones who fight for them. We are the ones who stand up and tell this Legislature and the province that what the Liberals are doing when they try to impose time allocation is repugnant and repulsive and what the Liberals do when they attempt to impose closure is abominable. It is an affront to every fairminded person in the province.

We in the New Democratic Party are the ones who have to constantly resist the assaults of an arrogant majority, a majority that does not speak for the seniors of Ontario, a majority that does not speak for the working people, the men and women who work in our factories and shops, or for the single mothers or for the youngsters. They are silent when it comes to the rights of those people who, as innocent injured victims, would be denied compensation for pain and suffering and loss of enjoyment of life in some 95 per cent of all cases. But they speak loudly and clearly for the auto insurance industry, do they not?

They have no difficulty articulating and presenting the interests of the auto insurance industry. That is what this motion is all about; that is what these interruptions are all about. We are talking about Liberals who have been Starr-struck and who have been identified as the beneficiaries of illegally diverted charitable funds. We are talking about Liberals whose staff, we are told, got the old Kelvinator and Sherwin-Williams handling, the old fridge and paint job treatment. We are talking about a party that wants to pass legislation that is going to create a \$1-billion windfall for the auto insurance industry. They know it. They knew it before we knew it because their secret studies revealed that to them.

So we will speak on behalf of the seniors. We in the New Democratic Party will speak on behalf of the workers, the small business people and the children who are going to be victims, the single mothers, the farmers and the farm workers, the unemployed and the middle class, the middle class in this province that is being hammered to death by the regressive tax policies of this Liberal, cloned-Tory government.

Let's remember what Mr Justice Haines had to say about Bill 68. After we consider what Mr Justice Haines had to say about Bill 68, we will talk about what Mr Justice Barr had to say about Bill 68. Let me carry on, because this is indeed a serious matter. It is a serious one for all of us in the New Democratic Party because we are fighting for innocent injured victims, we are fighting for taxpayers and we are fighting for drivers in Ontario. We are fighting for an opportunity to have issues like the Liberal attempt to strip away rights, considerable rights, from every person in Ontario thoroughly debated before they are voted on.

Let me tell you what Mr Justice Haines has to say, Mr Speaker. We would have finished the Justice Haines material at around four o'clock had it not been for the interruptions of the Liberals. Once again, I know that there are people out there who are saying that I am involved in a filibuster. I wonder, though, because I am involved in a serious address of the issues. When

it comes down to who is doing the filibustering and who is not, it seems to me that the Liberals have been doing an awfully effective job of prolonging this and making it longer than would ever be necessary, were they to not interrupt and were they to let us carry on with this debate and with this exchange.

Let's talk once again about what Mr Justice Haines has got to say about Bill 68, because that is what is so horribly important in this discussion about time allocation. He writes about the burden that Bill 68 is going to put on legal aid systems, legal aid plans in jurisdictions across Ontario, because injured and impecunious accident victims will be going to legal aid in incredible numbers seeking help with both arbitration and their lawsuits.

Then he goes on to point out that the reason plaintiffs, the reason injured people need lawyers is because the insurance companies have lawyers and because insurance companies have incredible wealth, incredible resources to use in their attack on innocent victims. Mr Justice Haines writes: "Of course, the complexity of this new bureaucracy will compel insurers to hire far greater numbers of 'in-house' legal staff to attend mediations and arbitrations, leading inevitably to an acceleration of the increase in auto insurance premiums."

You see what is happening, Mr Speaker? We are talking about a bill that has got more hidden costs in it than any of us ever dared imagine when it was first introduced back in October 1989.

What Mr Justice Haines writes in his letter to the Minister of Financial Institutions is this: "What is evident is that your government has simply not thought through the consequences of its proposed legislation. Experience has taught me that the indirect adverse effects of legislation can be far more reaching than the direct effects contemplated at the time of enactment."

That is Mr Justice Haines with his wealth of experience: appointed to the bar in 1927, appointed to the bench in 1962, semi-retired in 1982 and serving five more years, conducting 1000 successful pre-trials in that five-year period from 1982 to 1987, an outstanding member of both the bar and the bench during that magnificent career.

Mr Justice Haines writes: "There are additional foreseeable consequences. With the basic exception of the convicted impaired driver"—and that was without Mr Justice Haines talking about how this legislation, Bill 68, can treat a drunk driver better than it treats his or her victim. How does it do that? It ensures that drunk drivers will receive wage replacement benefits. What it means is that—

#### 1640

**Mr Callahan:** On a point of order, Mr Speaker: I would like to know what page of the Hansard of 10 April 1990 the member is reading from, because he is reading exactly what is printed in Hansard.

The Deputy Speaker: That is not a point of order.

Mr Callahan: It is repetitious, which is contrary to section—

Mr Faubert: 23(d).

**The Deputy Speaker:** That is not a point of order, but the member will stay to the point and not repeat.

**Mr Kormos:** This is how dumb that point of order was, because if I were reading from Hansard, the member would not have to ask for the page. The fact is that I am on page 6 of the

One of the problems with talking about sometimes complex things here in this House is that simple members sometimes have difficulty understanding complex things. They tend to get confused and that is why I feel compelled to go slowly sometimes and sometimes why I feel compelled to repeat a difficult phrase or a sentence that has multisyllabic words in it. I understand that the member who just raised the point of order is having difficulty following along and is having difficulty distinguishing one concept from another and I am trying to be helpful.

If that member who raised the point of order will slow down and relax and not get his shorts in a knot and pay attention, he will understand that we are carrying on through this bit of correspondence that the Minister of Financial Institutions received from Mr Justice Haines. What this illustrates is what I suggested to you yesterday, Mr Speaker: that the minister did not share this correspondence, this critique, of Mr Justice Haines with the members of the Liberal caucus. Let me carry on, please. Thank you very much, Mr Speaker. I appreciate that encouragement. Let me carry on.

What Mr Justice Haines writes is, "What is evident is that your government"—and he is talking about the Liberals as he writes to the Minister of Financial Institutions—"has simply not thought through the consequences of its proposed legislation." That is something we said numerous times during the course of the committee hearings, the brief hearings of the standing committee on general government.

I apologize if some members of the House are unable to hear me. The rustling of pages from over there in the Liberal ranks where they are trying to keep up is, I am sure, disconcerting for some of the Liberal members.

Mr Justice Haines goes on and points out that experience has taught him—and here I am repeating myself because I had to indicate to those members who are unfamiliar with this man's distinguished career that we are talking about a gentleman who was appointed to the bar in 1927, who was appointed to the bench in 1962 and who served as an outstanding member of our trial bench in this province, in the Supreme Court of Ontario, until 1982. From 1982 to 1987, Mr Justice Haines participated in some 1,000 pre-trials where he successfully assisted in the settlement of disputes in personal injury actions.

I am impressed by that type of career. I am disappointed in the fact that some Liberal members would belittle Mr Justice Haines and not accord a gentleman of his stature the respect he deserves, but they will live with the consequences of their own actions. Mr Justice Haines writes, "There are additional foreseeable consequences," and this is where I was at the point of the last interruption. I was talking about how the government's, the Liberals' auto insurance legislation can treat a drunk driver better than it treats that drunk's innocent victim.

Mr Faubert: Absolutely not true.

Mr Kormos: That is 100 per cent true.

Mr Faubert: Prove it.

The Deputy Speaker: Order, please.

Mr Faubert: Fabulist!

The Deputy Speaker: Order, please.

Mr Kormos: Let me tell you how that happens, Mr Speaker. It is sad. This legislation treats the car thief better than it treats the innocent victim.

Mr Faubert: Not true. Again not true.

The Deputy Speaker: The member for Scarborough-Ellesmere, please.

Hon Mr Elston: The fact that it's not true, is true.

The Deputy Speaker: Please. Watch it.

Mr Faubert: I am simply indicating that he is a fabulist.

The Deputy Speaker: No. Order. Sit down, please. No interjections, especially language that is close to being non-parliamentary.

Mr Kormos: Thank you, Mr Speaker. Let me tell you what happens to a drunk driver. Perhaps this warrants recalling an example that I utilized the other day. We talked about the 14-, 13- or 12-year-old kid on his or her way home from school. We talked about a kid who obeys all the rules of the road, who looks before he or she crosses the street, who makes sure that the signs saying "Walk" or "Don't walk" are appropriately lit before he or she crosses.

This little kid, who has been taught to do all the right things and indeed does all the right things, notwithstanding that, gets smashed to the ground by the car of a drunk driver. He gets smashed to the ground by the car of a drunk driver.

Interjection.

Mr Kormos: If the member for Scarborough-Ellesmere would listen, he would understand and he would be able to tell his constituents what Bill 68 is about. Quite frankly, I am not here to argue with the member for Scarborough-Ellesmere. I am going to take a few minutes to educate him, if that is at all possible.

We have a drunk driver who smashes a kid to the ground and the kid suffers maybe, the example I used last time, a broken back. What that means to that little kid is a whole lot of pain and suffering. It means a whole lot of loss of enjoyment of life. It means, as we have talked about before, three, four, maybe five months in the hospital in traction with the wires, the pulleys, the pushing, the pulling, the contraptions and the adjustments. It means missing a year of school because that kid who is in traction, that little kid, the innocent injured victim, cannot participate in academic work, so loses out, let's say, on grade 8.

Even when he is released from the hospital, even when that little 12- or 13- or 14-year-old kid is released from the hospital, he still cannot go back to school after the traction is over. He has to go home and recuperate there for another eight, nine or ten months. What that means is that that kid misses another year of school. Is that not right? So now that kid has missed two years of school and has undergone pain and suffering and loss of enjoyment of life that is almost immeasurable, certainly unenviable.

Do not forget that this is the kid who is the perfectly innocent injured victim who is struck down by a drunk driver. This kid—

**Mr** Neumann: On a point of order, Mr Speaker: The member is not speaking to the motion before the House.

The Deputy Speaker: The member will stick to the motion.

Mr Kormos: We have a little kid who has missed two years of school—

**Mr Neumann:** On a point of order, Mr Speaker: I had a point of order and you did not respond.

The Deputy Speaker: I did. I told the member to make sure to stay on the motion.

1650

Mr Kormos: Once again, I appreciate your guidance and direction, Mr Speaker.

I should perhaps explain. When we are talking about this time allocation motion we have to talk about its inadequacy, because of course we oppose it. We insist that it is an inadequate period of time in which to discuss Bill 68, either in committee of the whole House or during third reading.

To illustrate the inadequacy of the time allocation, it is important for us to point out to you, Mr Speaker, and to the members of this House, how complex Bill 68 is, to the end of demonstrating that a mere two afternoons is insufficient in which to completely and properly—most importantly, properly—discuss Bill 68.

I tendered to the proposition that drunk drivers are treated better by the Liberals under Bill 68 than their victims can be. I pointed out that the car thief under the Liberals' Bill 68 can get better treatment than the victim of that car thief. Now I am going to illustrate how that can happen, to demonstrate why the closure motion is so grossly inadequate. This is but a reflection of the real scope of debate that ought to be taking place and that will not be permitted by this highly restrictive closure motion.

Again, the proposition that the Liberals' legislation can treat a drunk driver better than it can treat an innocent injured victim, the proposition that this Liberal legislation can treat a car thief better than it can treat the victim, is significant, is it not, Mr Speaker?

I apologize for the interruption the member for Brantford imposed on us. I am not going to backtrack to the beginning of the example, but I have to backtrack a little bit to make sure that we have not lost a portion of it along the way. Sadly there are people here who are so unconcerned about this time allocation motion that they would prefer to deal with it by way of interruptions, would prefer to deal with it by way of petty interjections.

What we are talking about is a piece of legislation, Bill 68, the auto insurance legislation, which can treat, in circumstances, a drunk driver better than it treats the victim, which can treat a car thief better than it treats the innocent injured victim.

We spoke about the little kid who is crossing the street, gets mowed down by a drunk driver and suffers a broken back. That is not an unrealistic injury. We talked about that kid, and again it could be anybody's kid here in this Legislature. It could be any kid anywhere in Ontario, because we know these types of accidents happen. We are talking about a kid who suffers a broken back, who suffers the pain and loss of enjoyment of life associated with three, four, five months of traction in a hospital room, who loses that year of school, who has to go home for more recuperation even when the traction is finished and loses a second year of school.

Notwithstanding a broken back, notwithstanding being a perfectly innocent injured victim, notwithstanding the pain and suffering that kid has to endure through no fault of his or her own, and the loss of enjoyment of life—no chance to play with his or her schoolmates; no chance to ice skate in the winter or to play baseball in the summer, or soccer or rugby or football in the fall; no chance to participate with his or her family in the summer outings during summer vacation. It is called loss of enjoyment of life and it is called lost opportunities.

Do not forget that a kid who then is two years behind—it is also called lost friends, because that school kid, that 12-year-old, 13-year-old or 14-year-old school kid's friends have moved

on two grades up. So when that kid goes back to school, those playmates, those classmates, are no longer there.

The Liberals' insurance scheme, the one they are trying to ram through this Legislature without debate, the insurance scheme the insurance industry wants so badly that it can taste it, would give that kid nothing by way of compensation for pain and suffering or loss of enjoyment of life; not a cent.

That is what this Liberal government wants for the victims of drunk drivers: not a cent in compensation for pain and suffering, not a cent in compensation for loss of enjoyment of life and for the two years' delayed entry into the workforce—

Mr Faubert: Not true.

Mr Kormos: —surely, once again, a measurable economic loss, even from the most conservative figure of \$25,000 a year; two years, that would be equal to some \$50,000—that kid suffers by way of lost earnings because of that two-year delayed entry into the workforce. What this means is that kid's classmates are out there in the workforce earning that while that child is still in school. Again, not a penny for economic loss.

This is where the member for Scarborough-Ellesmere really should listen, because if the drunk driver who smashes that kid to the ground bangs his or her head against the windshield of the car and has to miss work for two or three or four weeks, that drunk driver could collect up to \$600 a week from the insurance company for the lost wages. Is that not remarkable? The innocent injured victim with the broken back receives not a penny in compensation for pain and suffering or for loss of enjoyment of life, for the delayed entry into the workforce, for the economic loss, yet the drunk driver can collect up to \$600 a week in wage loss if he or she bangs his or her head.

How does that happen, Mr Speaker? I will tell you, because, oh yes, the Liberals thought that they were going to cover their proverbial butts by excluding drunk drivers from compensation. But then what they conceded was that you can only exclude a drunk driver from compensation after the drunk driver has been convicted, and we know that with the court system the way it is in this province, backlogged the way it is because the Attorney General refuses to provide adequate court space across Ontario, there is not a drunk driver anywhere in Ontario who cannot delay his or her trial for six months, a year, possibly two in some parts of Brampton and Toronto.

This means that drunk driver gets to muck around with the rules so that he or she can collect \$600 a week in wage replacement while the victim, the kid smashed to the ground with a broken back, receives not a penny. That is how it happens.

This legislation would provide to the car thief lost wages up to the tune of \$600 a week. The car thief who smashes the stolen car—let's say it was the car thief who mowed the 15-year-old or 14-year-old or 13-year-old kid to the ground and broke that kid's back—could collect up to \$600 a week in lost wages. Yet the kid smashed to the ground collects not a penny in compensation, nothing for pain and suffering or loss of enjoyment of life.

That is how this legislation approaches the car thief and the drunk driver, and that is what the member for Scarborough-Ellesmere had better start understanding, because the people in his riding understand, just as people everywhere else in Ontaric understand, that this legislation is the most unfair, the least just the most unconscionable, the least reasonable auto insurance scheme that could ever be imposed by anybody on drivers and taxpayers and innocent injured victims here in Ontario. I know people here know it. So be it.

11 APRIL 1990 531

There are going to be Liberal lackeys who persist in having their little strings pulled by the insurance companies. There are going to be Liberals who close their minds to understanding what the legislation is all about or indeed, more pathetically, simply lack the capacity to ever understand what this legislation is really all about. For those people it is a sad day and there is little that we can do for them now, but there is a lot that their constituents will do for them. Come the next general election, their constituents can arrange for an early retirement, quick as a boo, because that is what is going to happen to a whole lot of Liberals who persist in supporting this legislation. Their constituents are going to arrange for early retirements. Their constituents are going to say, "Out to pasture, because you won't represent us but you Liberals will represent the interests of the insurance companies, the wealthy, powerful insurance companies in this province."

Do you know what the problem with that is, Mr Speaker? It is this: Drivers and taxpayers can vote; insurance companies cannot. If members want to talk about fault, that is the fault in the Liberal logic, inherent in their support for this time allocation motion. Is that not fair to say? Of course it is. That is the fault in the relationship between the Liberal members and their bad legislation.

## 1700

We were talking about Mr Justice Haines—remember, Mr Speaker?—and his learned critique of Bill 68. I know that sometimes it seems as if we are drifting off to the side, to the left or to the right—preferably to the left. All I can promise is this: Sometimes a particular proposition needs a little bit of setup. You have to lay some groundwork for it. Mr Speaker, you know what that is like. You have to paint a background before you can hone in on the specific or on the particular. So when I appear, to your skilled judgement, Mr Speaker, to be wandering astray, trust me and believe me in this regard. I promise you that I am merely painting the background so that we can deal with the specific, so that we can—

Interjection.

**Mr Kormos:** Sometimes broadloom is broadloom. Let's face it, the earth is round, is it not?

Mr Justice Haines talked about additional foreseeable consequences. He did not really analyse how this bill in fact was going to compensate drunk drivers as often as not in a way that victims were not compensated. What he points out is that the public perceives a system wherein there is apparent equal compensation of an at-fault and not-at-fault driver. The public perceives this as a system that rewards the wrongdoer at the expense of the innocent victim whose compensation entitlements have been abrogated, and they will be angry.

Do members understand what is happening here? This legislation, with its design—its design is to generate a billion bucks worth of windfall profits for the auto insurance industry. That is what this legislation is ultimately all about. To achieve that end it has to take away compensation for over 95 per cent of all innocent injured accident victims. It has to deny them, strip them of the right to that compensation. It is taking long-time rights away from innocent injured victims. To achieve the end, which is an ultimate goal of giving the auto insurance industry new billion-dollar-a-year profits, to get that money for the auto insurance industry, it has to take it away from innocent injured accident victims. The bill does that effectively.

I know that any number of people here would agree with Mr Justice Haines in this regard. I know that members of the

Ontario New Democrats would agree; I know that members of the Conservative Party would agree; I know that there are members here in the Liberal caucus who would agree, and I know that people like Siobhán Gibson would agree with that proposition—that people will sense a great unfairness, a great injustice, when the at-fault driver is treated as well and the same as the not-at-fault driver, as the innocent injured victim. That is what Mr Justice Haines talks about.

When we talk about Mr Justice Barr's critique of Bill 68 we can talk a little bit if you wish, Mr Speaker—I appreciate the opportunity—about how Mr Justice Barr, in his long experience as a lawyer and as a member of the bench, how people do perceive that injustice to be one that is simply not acceptable.

Mr Justice Haines says that ultimately this will make people angry, make them mad. "Such notions," he writes, "violate traditional and fundamental human values." "We know," Mr Justice Haines writes, "that a sense of injustice makes people want to tear things down, that it breeds resentments that sooner or later will focus on the conclusion that government sold out to the insurance companies and sacrificed the little guy."

The judgement is in. The verdict is in. Mr Justice Haines announced it to the Minister of Financial Institutions back in January. This legislation will breed resentment and will focus on the conclusion that government sold out to the insurance companies and sacrificed the little guy. That is the judgement of Mr Justice Haines of the Supreme Court of Ontario, and it is a finding that is very much based on the facts. It is a finding that is beyond criticism. Here is a government, a Liberal government, an Ontario Liberal government that sold out the little guy to the insurance companies. Here is a government, the Liberals of Ontario, that threw the fight, that took a dive, that sold out the little guy in favour of the big and wealthy and powerful auto insurance interests in this province.

I say it to you, Mr Speaker. Mr Justice Haines of the Supreme Court of Ontario, now retired, said it to the Minister of Financial Institutions back at the beginning of the year. What a sad conclusion for people in Ontario to reach—sad because it constitutes a betrayal of the trust that they put in their elected members, who were elected as Liberals; true because the facts simply support it. The facts do not permit those same people to come to any other conclusion than that the Liberals in Ontario sold out the little people in favour of the big and wealthy and powerful auto insurance interests.

I say once again the facts support no other conclusion. Indeed, the facts, when accumulated, strengthen and corroborate that conclusion because members will discover, as so many people have, when they check the books, that those same auto insurance companies that are going to enjoy billion-dollar windfalls in the first year alone spent over a \$100,000 providing contributions to Liberal candidates in the last provincial general election. My goodness, that is why this bill warrants full debate, far more than the briefest of time that will be allowed it if the Liberals have their way.

That is why this motion before us now, the one that was moved by the Liberal House leader back on 3 April 1990, right here in this Legislature by the House leader—and I refer to Votes and Proceedings, Legislative Assembly of the Province of Ontario, volume 98. It is for the day Tuesday, 3 April 1990. There it is, the motion that we are debating now; the motion that would hamstring, that would smother, that would eunuch the opposition. The motion that would let this government, let these Liberals jackboot their way through this august chamber.

That motion has to be defeated. That motion has to be fought, and fight it we will.

Mr Justice Haines goes on, and we are almost finished with the Haines analysis. It is important not to give it short shrift because it is as thorough—but again, it is not the only analysis of Bill 68. I understand that. It is not the only analysis of Bill 68. Other critics of Bill 68 do not necessarily agree with Mr Justice Haines, which is why we are going to examine their criticisms and their critiques once we are finished with that of Mr Justice Haines. I do not want it to ever be said that we in the New Democratic Party would be so narrow in our approach as to not encourage a full and meaningful debate so that all perspectives can be discussed and revealed, which is why those criticisms that are not in line with Mr Justice Haines are going to be spoken of by us as being a valuable component of this debate as well.

#### 1710

Not that they support Bill 68, because, sadly, Bill 68 is quite indefensible. But they provide different perspectives and they permit us to see without hesitation that the conclusions reached by Mr Justice Haines are some of the conclusions that could be reached.

Some of his criticisms are stronger than others. For instance, his commentary that people will reach the conclusion that the government sold out to the insurance companies and sacrificed the little guy—well, that is not one about which there will be much debate or confusion. That is one about which most critics will agree.

Let me carry on, Mr Speaker. Mr Justice Haines writes: "Except in threshold cases, the draft legislation ends car owner and occupant's liability for actions brought in Ontario for bodily injury occurring anywhere in Canada and the United States."

In his correspondence with the Minister of Financial Institutions, Mr Justice Haines follows up by pointing out that, "You"-speaking of the Minister of Financial Institutions-"must be aware that more than a million Ontarians travel by car to vacation throughout this continent. Many of them"-and this once again will illustrate to us how it ought to be argued and must be argued and answered by the Minister of Financial Institutions during full debate—"particularly senior citizens, seek respite from our harsh winter climate and live away for several months at a time. They may own property in Florida and elsewhere in the United States. If these persons are involved in accidents beyond Ontario, and judgements are obtained against them outside the province, what insurance protection are they to have?" That is among the many questions that have to be asked during the debate of Bill 68, specifically, in this instance, during committee of the whole House consideration of Bill 68.

The minister was not around during the standing committee on general government hearings to answer that question, and it was raised by more than Mr Justice Haines when we were in Windsor—only for one day, because that is all the Liberal majority would permit. We knew that there were more delegates than could be heard in that one day, but the Liberals would only permit us to be there for one short day.

When I was there with our New Democratic Party House leader, the member for Windsor-Riverside, the outstanding member representing Windsor—unfortunately, he has to represent not only his own riding but, as often as not, surrounding ridings. He has to carry that burden. The member for Windsor-Riverside participated with me in those general government hearings. What I am going to do is speak later on about some of the submissions that were made at committee hearings, because we are not at that point yet.

I am speaking about Mr Justice Haines. He sent a letter to the Minister of Financial Institutions. There were considerable concerns raised in the Windsor area about the effect of this legislation, the legislation that the Liberals are trying to impose on people in Ontario; about the effect of the legislation on people who would travel outside of Ontario. What kind of protection would those people have?

Once again, credit to the parliamentary assistant of the Minister of Financial Institutions, the member for Guelph. All credit to him. He tried his very best but he did not know.

The parliamentary assistant, the member for Guelph, that Liberal, was not in on the backroom bargaining. He was not a part of that—I have no hesitation in saying that—the member for Guelph, the one who was sent out to the front by the minister during those hearings of the standing committee on general government about Bill 68. The minister is hiding in the bunker, and here is the poor member for Guelph, a heck of a nice guy, being sent out to the front because the minister does not want to be tarnished and the minister does not want to stand in front of the stream of the fan in view of what hit that fan as soon as that committee started hearing submissions from people across Ontario. He did not want to risk the consequences. He did not want to risk being sullied or tarnished or dirtied by the incredible opposition that there is in Ontario to Bill 68.

So the minister was not there in Windsor. We wanted him there, and if he had been there, we would not be able to make the argument that we do now for considerable committee of the whole House discussion of Bill 68.

The minister simply refused to show up. The minister refused to participate in general government committee hearings. The minister refused to face the critics of this legislation. The minister refused to look working people in the eye about Bill 68. The minister refused. He fled from the senior citizens who came before the general government committee because they were going to tell him what a bad piece of legislation it was and how this insurance scheme that the Liberals are promoting will only hurt senior citizens. The minister refused to face the students who appeared in that committee, and the poor parliamentary assistant did his very best. But the poor parliamentary assistant, the member for Guelph, was denied that delicious opportunity that the minister had to engage in the actual negotiations with the insurance industry.

I mean, when the Minister of Financial Institutions was sitting at the feet of the executives of Lord knows how many of the major auto insurers in Ontario, the minister's parliamentary assistant was not there with him. So this very specific issue and how it illustrates yet another example of how discriminatory this legislation, the Liberals' auto insurance legislation, is to seniors has not been discussed yet.

It has not been discussed, and there simply is not enough time in the time spoken of in the Liberal motion for closure to properly discuss it. Again, if it were only a trivial matter, if it were only a matter of dotting some i's or crossing some t's, we would not be able to make this argument. But look what Mr Justice Haines says, along with so many others, about what Bill 68 means for seniors.

He writes to the minister as far back as January of this year saying to the Minister of Financial Institutions, surely: "You must be aware that more than a million Ontarians travel by car to vacations throughout this continent. Many of them, particularly senior citizens, seek respite from our harsh winter climate and live away for several months at a time."

I know my grandparents took advantage of their retirement, the fact that they had worked hard, until their deaths, to travel to

11 APRIL 1990 533

Florida to obtain some relief from the cold. And how that hot sun can help with things like arthritis, the sorts of ailments that seniors have. So do a whole lot of seniors, and it is a well-deserved break from what can be harsh winters here in Ontario. But look what this auto insurance legislation says to them.

#### 1720

What it says to them is, "Forget about your trips down south." This Liberal government is telling senior citizens of Ontario that they should not have the hard-earned luxury of spending a couple of weeks in the sun in Florida during the peak of our harsh winters. That is what the effect of this legislation is, that is what Mr Justice Haines says and that is what the Minister of Financial Institutions refuses to debate during the course of committee of the whole or third reading. Do members want to know why he refuses to debate it? Because that proposition by Mr Justice Haines is oh so true.

Look what Mr Justice Haines writes: "Many of them, particularly senior citizens, seek respite from our harsh winter climate and live away for several months at a time. They may own property in Florida and elsewhere in the United States. If these persons"—if these senior citizens on their way to a short vacation in Florida in the middle of our Canadian winter—"are involved in accidents beyond Ontario, and judgements are obtained against them outside the province"—as they inevitably will be—"what insurance protection are they to have?"

Listen to this. This is what Mr Justice Haines, with his 20 years on the bench and his 63 years' experience as a lawyer, has got to say: "Are foreign judgements to haunt them when they step out of Ontario. Are there assets outside the province to be seized and sold in execution?" Or, and this is the option that the Liberals and the insurance industry would like to tout, "Are they to pay an additional premium for protection which insurance policies currently provide" but which is going to be denied them when this legislation passes?

These Liberals, this government, have not even got the decency to show some respect and some very fundamental generosity to our senior citizens. What could be crueller, what could be more unthinking, than to condemn senior citizens by virtue of the fact that they are a little bit older than they were a few years ago and that they want to partake of some well-earned vacations in sunny winter weather? But the Minister of Financial Institutions has no intention of ever debating that issue.

That is what this time closure motion is all about; it is about avoiding the debate, about avoiding the facts, about running from the truth and about hiding from reality. It is about selling out the people of Ontario for the interests of the auto insurance industry. That is what the Liberals and the Minister of Financial Institutions and the Premier of Ontario do not want to be confronted with, and that is what this time allocation motion is all about. It is true, Mr Speaker. I tell you once again, it is sad, but I tell you this: We in the opposition will fight like the blazes to defeat this time allocation motion because it is wrong, it is just plain wrong, because this time allocation motion condemns all those in this province who expect and indeed deserve far more from their government.

Mr Justice Haines once again refers to Justice Osborne's inquiry. We are going to talk about Osborne because it is an important consideration during the course of discussing this time allocation motion. Mr Justice Haines writes, "In his thoroughly able inquiry, which took Justice Osborne some 15 months to complete, he concluded his recommendations with these words: 'In the final analysis"—it would do well for every

single member here, and I know they have been most patient with me, and I appreciate their attentiveness during the course of this discussion. I should also indicate that I appreciate the notes, not a whole lot, but the few notes that I have received from Liberal members encouraging me to speak out as I have against this time allocation motion. I appreciate their support and I know that their consciences will guide them when it comes to voting on this bill, on this motion.

I will tell members what the excerpt is from Justice Osborne: "In the final analysis, I confess to having considered the interests of those who purchase automobile insurance and those who are injured in motor vehicle accidents as the dominant interests to take into account." What better guide, how straightforward, how so effectively simple that even most Liberals would understand it? How effectively simple that even most Liberals should be able to understand that. Justice Osborne said, in terms of a summation or defining of the guidelines that were apparent to him in arriving at his conclusions, writes, "In the final analysis, I confess to having considered the interests of those who purchase automobile insurance and those who are injured in motor vehicle accidents as the dominant interests to take into account." That is easily enough understood, is it not? And that is difficult to argue with. Basically, if one is talking about a fair automobile insurance system, those are the types of guidelines that ought to be adopted.

What is significant when we look at Bill 68 is, does Bill 68 stand the test that Mr Justice Osborne used in reaching his conclusions? Can it be submitted to that very effective, short, simple guideline or standard? That is why we need committee-of-the-whole consideration of Bill 68, is it not? That is why we need appropriate time for third reading, because none of this has ever been discussed anywhere else ever before. Unless these Liberals are prepared to add Mr Justice Haines to the list of people whom they would simply dismiss and send home without listening to, unless they are prepared to do that, it warrants some discussion and consideration. Again, I thank the Liberal members who are agreeing with me now for their support.

Mr Justice Haines writes this: "It is with the greatest of respect that I say that the legislators owe that same duty." Members saw what I was getting to, huh? Mr Justice Haines did not anticipate such an unconscionable move as the Liberals made in their time allocation motion, yet something prompted him to basically join our debate in a peculiar and most interesting sort of way. Back in January 1990 he said, "It is with the greatest of respect that I say that the legislators owe that same duty." What duty? The duty to consider "the interests of those who purchase automobile insurance and those who are injured in motor vehicle accidents as the dominant interests to take into account." Do members know what the Liberals are adopting as the dominant interest? The profitability of the insurance industry, billions of dollars in new profits seized from taxpayers, seized, stolen from innocent injured victims and clawed from drivers across Ontario who will face premium increases of as high as 50 per cent over what they are paying now.

Mr Justice Haines then writes—again, members knew I was getting there— "By that test Bill 68, apparently the product of a mere 15 weeks of consideration, is altogether wanting." What he is talking about is the short period of time from when it was announced up at that chorus line, the glitzy show up in North York, until when it was presented in the House in October for first reading. Mr Justice Haines, having reviewed Bill 68, reaches the same conclusion that so many of us from the op-

position did in the standing committee on general government, that this was a hastily prepared bit of legislation, that its sole purpose was to guarantee profits for the auto insurance industry and that the Liberals had their own clandestine, secret agenda all along, an agenda which was not very admirable at all because it was an agenda which constituted a sellout of little people in Ontario for the sake of the big, corporate automobile insurance companies.

### 1730

Mr Justice Haines writes, "In large measure it is little more than an adoption of the proposals of the Insurance Bureau of Canada which Justice Osborne considered and rejected." The distinction between what the Insurance Bureau of Canada proposed and what is contained in Bill 68 is that even the Insurance Bureau of Canada, whose proposal was rejected in Mr Justice Osborne's inquiry, did not dare ask for a threshold as onerous as the one contained in Bill 68.

The Liberals are ensuring the profitability of the insurance industry beyond even what the insurance industry reasonably expected; that is to say, the Liberals are creating even bigger profits for the insurance industry in Ontario than the insurance industry dared demand from the Osborne commission. I say it now. Mr Justice Haines said it in a letter to the Minister of Financial Institutions back in January 1990, a letter that the minister, I tell members, has sat on.

In view of the Liberal majority, I am not going to pretend that I am here winning any popularity contests. I am not going to pretend that at all. There are a few people's cages that get rattled a little bit when this type of previously suppressed dialogue, previously suppressed communication, is presented to them and they have to face it. Does the House leader stand up to announce to us that he is going to withdraw this motion so that we can discuss Bill 68? No, he does not.

Hon Mr Ward: Sit down, you win.

Mr Kormos: He does not stand up to withdraw this crummy motion. He does not stand up to repeal this jackboot effort on his part, this copycat of the Tories on Parliament Hill. He pleads with his caucus to maintain its opposition.

The Acting Speaker (Mr Breaugh): I sense the member was very near yielding the floor to the government House leader. If you do not want to, do not walk that road.

An hon member: Put up or shut up.

Mr Kormos: My corner man cautions me. Mr Speaker, your sensation is yours alone and it was very uniquely felt by you. If we can ever generate more sensations for you in the future, feel free to call on us. We will do our very best. I appreciate that there is a certain age all of us will reach where sensations are harder to come by.

In any event, the Honourable Mr Justice Haines writes:

"This legislative initiative appears to have been motivated by political expediency in the form of an election promise on the government's part to limit the increase in car insurance premiums for the motoring public. Whether or not no-fault threshold will achieve this goal is"—in itself—"open to debate. What is not in doubt is that, based on dollar-for-dollar premium, that injured accident victim will receive far less compensation as compared to our existing law."

Mr Justice Haines then concludes his correspondence to the minister. He writes:

"As a former jurist, what concerns me most about the Ontario motorist insurance protection plan is its sacrifice of the

rights of traffic victims to the motorist's quest for lower premiums. There is an obvious conflict of interest between the motorists and their victims."

Mr Justice Haines concludes, "Bill 68 doesn't resolve the conflict, rather it aggravates it."

We spent a little bit longer on this particular issue than I had hoped to. I had hoped to deal with it somewhat more expeditiously, but I appreciate that there were Liberal members who wanted to make points of order, and make points of order they did. That is what lengthened this particular stage of my discussion of the motion. Again, those are things, I suppose, that we basically have to expect in the total scheme of things.

As I told members yesterday, the next consideration in our argument in opposition to this motion includes references to the statement to the Ontario Legislature by the Minister of Financial Institutions on the occasion of first reading of Bill 68. I have some hesitation in making reference to that statement, because I know that I am inclined to be candid and forthright in my choice of language—frank sometimes, if you will. I have marked those portions of the minister's statement to the House on first reading which might impel me to say things that are unparliamentary, which might compel me to point out what constitutes things that we simply cannot expect from elected members.

The Minister of Financial Institutions, back in October 1989, when Bill 68 was prepared in its first draft—there were more than a few drafts of Bill 68 and the regulations, and I am going to talk later on about some of the contrast between what was first proposed and what was finally prepared—and I point this out first, spoke about "introducing legislation which will ensure affordable auto insurance rates." That is the very first thing he said. He said, "Today I will be introducing legislation which will ensure affordable auto insurance rates." He said that. The minister said that.

He said that, and what we learned later is that this auto insurance scheme is going to result in premium increases of up to 50 per cent on top of premium rates that are simply unaffordable, that are forcing more and more drivers off the road, that are forcing more and more drivers off the road, that are forcing more and more drivers to take that horrendous chance of driving without insurance, that are generating a plethora of incidents wherein people are using forged, phoney, outdated or otherwise altered pink slips to try to demonstrate to police officers that they have insurance when indeed they do not. They cannot afford insurance coverage because this government has permitted insurance premiums to rise beyond affordability.

#### 1740

Now this same government, these same Liberals, are imposing a scheme that is going to create new billion-dollar profits, billion-buck paydays for the auto insurance industry, with premiums that are as much as 50 per cent higher than they are now. The minister knows that, because he promised the drivers and the taxpayers of Ontario that this auto insurance scheme was going to create premium increases of up to 50 per cent. That one the minister told the truth on, did he not—premium increases as high as 50 per cent.

I tell the minister, drivers cannot afford those premium increases. I will tell him this right now: Senior citizens who are going to be forced into Facility Association cannot afford those multithousand-dollar premiums, those \$1,000, \$2,000, \$3,000, \$4,000, \$5,000 premiums they are going to be charged in Facility. That is exactly what the minister's auto insurance scheme is imposing on them.

11 APRIL 1990 535

The minister told the Legislature back in October 1989 that he would be introducing legislation which would ensure affordable auto insurance rates. I say to the minister, let's see the legislation. He sure as heck did not mean Bill 68, because Bill 68 is going to carry with it premium increases of up to 50 per cent.

The minister then went on to say that the bill he was going to present would also provide "a comprehensive accident benefit plan to protect the more than six million drivers in Ontario."

What about their victims? What about the 15-year-old kids with the broken bones, the broken legs, the broken backs, the broken arms, the fractured skulls, who are not going to get a penny of compensation for pain and suffering or loss of enjoyment of life? The minister's plan does nothing for them. His plan takes away what is rightly theirs and puts that money into the profits and the pockets of the auto insurance industry.

The minister said, "Our plan." It is not ours. It has to be his that he was talking about, because we in the New Democratic Party would never propose a plan which constitutes a sellout of drivers, taxpayers and victims in Ontario so that the profits for the auto insurance industry can be jacked up by \$1 billion in the first year alone. No, that is not our plan, that is his plan and the auto insurance industry's plan.

Do you remember, Mr Speaker, that the minister used to talk about how this plan was made in Ontario? We used to say, "No, you imported it from the United States," and the minister used to say, "No, it was made in Ontario." Then we conceded that perhaps it was, but not here at Queen's Park. Surely it was written in the boardrooms of the auto insurance companies, because those are the people who will benefit.

The minister said this—and I want the minister to listen for a minute, because Lord knows he did not listen during committee hearings. He was not there to hear. In October 1989 the Minister of Financial Institutions said, "Our plan will return more of the premium dollar to those who need it, the injured victims."

Do you want to know something, Mr Speaker? The government's own secret studies revealed that was not the case. The government's own secret studies which were forced out of them, finally, on 6 February 1990, showed that \$823 million was going to be taken away from victims and given to the auto insurance industry to produce for that auto insurance industry profits that it had never dared dream of.

Those secret documents that we forced out of the government on 6 February were in the minister's possession throughout all of 1989. This minister knew, or ought to have known, what those studies said when he made this statement in October 1989. How could the Minister of Financial Institutions—because these are the questions that have to be asked, are they not?—have said that his plan will return more of the premium dollar to those who need it, the injured victims, when we know, as a result of finally obtaining the government's own studies, that some \$823 million less is going to be given to injured victims? There is a contradiction there. There is an error.

I told members that there were parts of this that were going to compel me to consider unparliamentary language. You know what I am thinking, Mr Speaker, but I will be darned if I will say it, because it is unparliamentary.

We are talking about returning less of the premium dollar to the injured victims. We are talking about jacking up premiums by as much as 50 per cent. We are talking about introducing taxpayer subsidies to the private corporate auto insurance industry in Ontario to the tune of \$141 million.

The minister said, "The system itself will be reformed...so that consumers get premium savings." Where are the savings that he promised? He promised premium savings, and now he is telling us that we are going to face premium increases of up to 50 per cent.

Once again, that is another part of these comments that I marked because I would feel motivated to use language to describe that comment that might be considered unparliamentary, and again you know what I am thinking of. I want to say that the minister—but I will not. I want to say that, rather than keep his promise, the minister—but I will not, because the facts speak for themselves.

The minister, on 23 October 1989, told this House that consumers get premium savings under his new legislation. It sure as heck ain't Bill 68. Will he please tell us which legislation it is that results in premium savings for drivers in Ontario, because members are not going to see those premium savings in Bill 68, not by a long shot?

Interjections.

Mr Kormos: Do those members want the floor? Withdraw their time allocation motion. It is as simple as that. From day one we wanted a healthy debate about Bill 68, and the Liberals have run from the truth. From day one we have wanted a healthy exchange right here in the Legislature, and what do the Liberals do? They try to impose closure on us. They try to muzzle the opposition. They try to kill, stifle, muzzle debate—the guillotine, the kangaroo; shackling the opposition, muzzling the opposition. We will not stand for it. People of Ontario will not stand for it.

Do those members want to test that? Call an election right now. Let's go to the electorate with Bill 68. If members want to test it

#### 1750

I am looking forward to the scrum outside these doors at 6:05 pm where the Premier of Ontario says: "We'll let the electorate decide. We'll call an election here in the province of Ontario and the issue will be auto insurance." The issue will be: Is it going to be big, profitable corporate insurance companies or is it going to be drivers, workers and innocent injured victims? That is what the choice will be.

The government's problem is that drivers vote and auto insurance companies cannot. The problem is that the Liberal riding association in Sudbury East calls upon Liberal members to vote against this legislation, so whoever the Liberal candidate is going to be, poor soul, in Sudbury East, he may not even find workers. The problem is that the Sudbury provincial Liberal association similarly calls upon its member to oppose this legislation, so whoever the candidate might be—it could be anybody; they have not had their nomination meeting yet—that Liberal riding association may not even elect as a candidate somebody who supports Bill 68. We are looking at some retirement potential for a whole lot of Liberals here.

More important, we are talking about a time allocation motion that is simply premature and so unrealistic. We are talking about a time allocation motion that is an effort on the part of the Liberals here at Queen's Park to flee from debate. We are talking about a time allocation motion that is going to encourage disorder. We are talking about a time allocation motion that will generate, yes indeed, anarchy right here at Queen's Park.

We are talking about a Liberal move, the Liberal House leader's motion, that is going to create anarchy because it constitutes a complete rejection on the part of the Liberals of all of the parliamentary rules, all of the parliamentary procedure and all of those democratic principles that require debate, exchange and free vote. The members opposite should watch it.

Back on 23 October 1989, when the minister introduced this pathetic bill before the House, he talked about a strong new regulatory authority. Hah. This government create a strong new regulatory authority? That is mind-boggling. Like the Residential Tenancy Commission, a strong regulatory authority? Is that what they are talking about? Like their consumer protection legislation? Strong regulatory authorities.

If there were strong regulatory authorities here at Queen's Park by this government, people like my friend the member for Cambridge would not have to move a private member's bill to safeguard the rights of property buyers. A strong regulatory authority like the superintendent of insurance? A tough one, eh? Real tough guys over there at the superintendent of insurance's office, I say to the Minister of Financial Institutions. They have no hesitation in writing their Dear John letters to people who are getting shafted by the insurance companies, saying: "Sorry. Too bad, so sad. You're on your own with these guys."

The minister does not want to enact any legislation that is going to permit us to control a greedy and abysmally shabby industry. Listen to this, Mr Speaker: "Continued access to the courts in cases of serious injury or death." Serious injury? What, like a broken leg? Does that give a person access to the courts under the threshold scheme that the Liberals are proposing? No. A broken leg? That will not get you access to a court. The minister promised access to the courts in cases of serious injury, and a broken leg is sure as heck a serious injury where I come from.

Does this Liberal bill give you access to the court if you have a broken leg? No. Broken arm? No. Fractured ribs? No. Broken back? Does that get you access to a court? No. The minister promised it, but for the same broken leg, fractured ribs, broken back there is not a penny in compensation for pain and suffering. Not a penny in compensation for loss of enjoyment of life.

Fractured skull? Is that a serious injury, such as the minister promised would get you access to the court? No, not under this legislation. No access to the court; no compensation either for pain and suffering or loss of enjoyment of life.

Once again, one really wonders whether the Minister of Financial Institutions was talking about Bill 68 when he made this announcement back on 23 October 1989. The minister promised enhanced consumer protection. Where is it? Let us see it.

The Acting Speaker: There are a number of members in the chamber who are in the wrong seat, who are having private conversations. I appreciate that members may be tiring somewhat near the end of the day, but I for one do have to listen to the member as he delivers his speech. I would appreciate it if you would help me just a bit. Proceed.

Mr Kormos: Thank you very much, Mr Speaker. I appreciate that.

The Minister of Financial Institutions back on 23 October 1989 had the nerve, more nerve than the proverbial toothache,

to say that large premium increases are unacceptable, to say that they are unacceptable to the general motorist, to people who must drive for their livelihood, to seniors whose mobility meanindependence and to government which must act in the public interest.

When he is talking about government acting in the public interest, he is not talking about the Liberals at Queen's Park. They do not act in the public interest. They are acting in the interests of big corporate automobile insurance industries who are going to enjoy paydays in the first year alone of up to a billion bucks. This is not a government. These Liberals at Queen's Park are not acting in the public interest. They are acting in the interests of an élite, powerful, wealthy group of private automobile insurers who took good care of the Liberals at election time. We know that. That is a fact. It is not a figment of imagination. It is recorded. It is documented: over \$100,000 to Liberal candidates in the 1987 general election from the auto insurance industry in Ontario, and more and more than that.

Hundreds and hundreds and hundreds of thousands of dollars were spent by that same auto insurance industry on third-party advertising in support of these same Liberal candidates during that general election. We are talking about a lot of fridges. We are talking about a lot of Kelvinators. We are talking about a lot of paint jobs. We are talking hundreds of thousands of dollars in cash donations, over \$100,000 in cash donations to Liberal candidates. We are talking about hundreds of thousands of dollars spent on behalf of the Liberals in third-party advertising.

We are talking about a relationship that is so intimate that it has become obscene. We are talking—

Mr Faubert: How would you know?

Mr Kormos: Look over the pillow, pal.

We are talking about a government that has forsaken the drivers of Ontario, because this government, the Liberals in Ontario, is going to impose premium increases of as high as 50 per cent. We are talking about a government, the Liberals in Ontario, that has forsaken the taxpayers. The Liberals in Ontario are going to force the taxpayers in Ontario to subsidize the auto insurance industry, their private corporate auto insurance industry, those Liberals' bedmates, to the tune of at least \$141 million in the first year alone.

We are talking about a government, the Liberals at Queen's Park, that has abandoned the innocent injured victims. This Liberal government is going to take away from innocent injured victims, 95 per cent of them, all of any compensation to which they would have been entitled for pain and suffering and loss of enjoyment of life. This government is going to scoop some \$823 million in the first year alone from innocent injured victims and drop it into the pockets of the private corporate auto insurance industry.

Well, I say once again, come on guys, call an election. Let the electorate decide whether they want to vote for the big corporate auto insurance industry or whether they want to vote for the victims, the drivers and the taxpayers of Ontario.

On motion by Mr Kormos, the debate was adjourned.

The House adjourned at 1800.

## **ALPHABETICAL LIST OF MEMBERS**

(130 seats)

Second Session, 34th Parliament

## Lieutenant Governor: Hon Lincoln M. Alexander, PC, QC

Adams, Peter (Peterborough L) Allen, Richard (Hamilton West NDP)

Ballinger, William G. (Durham-York L)

Beer, Hon Charles, Minister of Community and Social Services (York North L)

**Black, Hon Kenneth H.,** Minister of Tourism and Recreation (Muskoka-Georgian Bay L)

Bossy, Maurice L. (Chatham-Kent L)

**Bradley, Hon James J.,** Minister of the Environment (St Catharines L)

Brandt, Andrew S. (Sarnia PC)

Breaugh, Michael J., First Deputy Chair of the Committee of the Whole House (Oshawa NDP)

Brown, Michael A. (Algoma-Manitoulin L) Bryden, Marion (Beaches-Woodbine NDP)

Callahan, Robert V. (Brampton South L)

Campbell, Sterling (Sudbury L)

Caplan, Hon Elinor, Minister of Health (Oriole L)

Carrothers, Douglas A. (Oakville South L) Charlton, Brian A. (Hamilton Mountain NDP)

Chiarelli, Robert (Ottawa West L) Cleary, John C. (Cornwall L)

Collins, Hon Shirley, Minister without Portfolio

(Wentworth East L)

Conway, Hon Sean G., Minister of Education, Minister of Colleges and Universities and Minister of Skills

Development (Renfrew North L) Cooke, David R. (Kitchener L)

Cooke, David S. (Windsor-Riverside NDP)

Cordiano, Joseph (Lawrence L)
Cousens, W. Donald (Markham PC)
Cunningham, Dianne E. (London North PC)

Cureatz, Sam L., Second Deputy Chair of the Committee of the

Whole House (Durham East PC) Curling, Alvin (Scarborough North L)

Daigeler, Hans (Nepean L)

Dietsch, Michael M. (St Catharines-Brock L)

Eakins, John F. (Victoria-Haliburton L)

Edighoffer, Hon Hugh A., Speaker (Perth L)

Elliot, R. Walter (Halton North L)

Elston, Hon Murray J., Chairman of the Management Board of Cabinet and Minister of Financial Institutions (Bruce L)

Epp, Herbert A. (Waterloo North L) Eves, Ernie L. (Parry Sound PC)

Farnan, Michael (Cambridge NDP)

Faubert, Frank (Scarborough-Ellesmere L)

Fawcett, Joan M. (Northumberland L)

Ferraro, Rick E. (Guelph L)

Fleet, David (High Park-Swansea L)

Fontaine, Hon René, Minister of Northern Development

(Cochrane North L)

Fulton, Ed (Scarborough East L)

Furlong, Allan W. (Durham Centre L)

Grandmaître, Bernard C. (Ottawa East L) Grier, Ruth A. (Etobicoke-Lakeshore NDP)

Haggerty, Ray (Niagara South L) Hampton, Howard (Rainy River NDP) Harris, Michael D. (Nipissing PC)

Hart, Hon Christine E., Minister of Culture and

Communications (York East L)

Henderson, D. James (Etobicoke-Humber L)

Hošek, Chaviva (Oakwood L)

Jackson, Cameron (Burlington South PC)

Johnson, Jack (Wellington PC)

Johnston, Richard F. (Scarborough West NDP)

Kanter, Ron (St Andrew-St Patrick L)

Kerrio, Vincent G. (Niagara Falls L)

Keyes, Kenneth A. (Kingston and The Islands L)

Kormos, Peter (Welland-Thorold NDP)

Kozyra, Taras B. (Port Arthur L)

**Kwinter, Hon Monte,** Minister of Industry, Trade and Technology (Wilson Heights L)

Laughren, Floyd (Nickel Belt NDP) LeBourdais, Linda (Etobicoke West L)

Leone, Laureano (Downsview L)

Lipsett, Ron (Grey L)

Lupusella, Tony (Dovercourt L)

MacDonald, Keith (Prince Edward-Lennox L)

Mackenzie, Bob (Hamilton East NDP) Mahoney, Steven W. (Mississauga West L)

Mancini, Hon Remo, Minister of Revenue (Essex South L)

Marland, Margaret (Mississauga South PC) Martel, Shelley (Sudbury East NDP) Matrundola, Gino (Willowdale L) McCague, George R. (Simcoe West PC) McClelland, Carman (Brampton North L)

McGuigan, James F. (Essex-Kent L) McLean, Allan K. (Simcoe East PC)

McLeod, Hon Lyn, Minister of Energy and Minister of

Natural Resources (Fort William L)

Miclash, Frank (Kenora L) Miller, Gordon I. (Norfolk L)

Morin, Hon Gilles E., Minister without Portfolio

(Carleton East L)

Morin-Strom, Karl E. (Sault Ste Marie NDP)

Neumann, David E. (Brantford L)

Nicholas, Cindy (Scarborough Centre L) Nixon, J. Bradford (York Mills L)

Nixon, Hon Robert F., Deputy Premier and Treasurer of Ontario and Minister of Economics (Brant-Haldimand L)

Oddie Munro, Lily (Hamilton Centre L)

Offer, Hon Steven, Solicitor General (Mississauga North L)

O'Neil, Hon Hugh P., Minister of Mines (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

Patten, Hon Richard, Minister of Correctional Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

Peterson, Hon David R., Premier and President of the Council and Minister of Intergovernmental Affairs

(London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

Phillips, Hon Gerry, Minister of Labour

(Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chair of the Committee of the Whole House (Prescott and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

Ramsay, Hon David, Minister of Agriculture and Food (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

Riddell, Jack (Huron L)

Roberts, Marietta L. D. (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

Scott, Hon Ian G., Attorney General (St George-St David L)

Smith, David W. (Lambton L)

Smith, E. Joan (London South L)

Sola, John (Mississauga East L)

Sorbara, Hon Gregory S., Minister of Consumer and Commercial Relations (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Sweeney, Hon John, Minister of Housing and Minister of Municipal Affairs (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glengarry PC)

Ward, Hon Christopher C., Minister of Government Services (Wentworth North L)

Wildman, Bud (Algoma NDP)

Wilson, Hon Mavis, Minister without Portfolio (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

Wong, Hon Robert C., Minister of Citizenship (Fort York L)

Wrye, Hon William, Minister of Transportation (Windsor-Sandwich L)

Vacant, Ottawa South

Lists of members of the executive council, parliamentary assistants and members of committees are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

## CONTENTS

# Wednesday 11 April 1990

Members' statements	Environmental assessment
Privatization	Mr Bradley
Mr Farnan	<b>Child care</b>
Fishing licence fees	Mr Adams
Mr McLean	Mr Beer
William Little	
Mr Owen	Government motion
Temagami district resources	Extension of House hours
Mr Kormos	Mr Ward
Health services	Objected to
Mr Eves	Objected to
Carabram	Petitions
Mr Callahan	a controllo
Workers' Compensation Board	Social assistance
Miss Martel	Mr Allen
Zebra mussels	Greater Toronto area
Mr Pollock	Mr Philip
Jack Bailey	Social assistance
Mr Brown	Miss Martel
Oral questions	Report by committee
Great Lakes water quality	Caratina and mineta hills 520
Mr B. Rae	Standing committee on regulations and private bills 520
Mrs Caplan	Mr Callahan Agreed to
Automobile insurance	Agreed to
Mr B. Rae	Government motion
Mr Elston	GOVERNMENT INCOME
St Joseph's Training School for Boys 511	Time allocation, motion 30
Mr Brandt	Mr Kormos
Mr Beer	Adjourned
Children's mental health services	J
Mr Brandt	Other business
Mr Beer	
Advocacy and guardianship	13th report, Commission on Election Finances 509
Mr Reville	Deputy Speaker
Mr Peterson	Business of the House
Elizabeth Lue	Deputy Speaker
Mr Eves	Mr D. S. Cooke
Mrs Caplan	Mr Eves
Business opportunities	Mr Ward
Mr Owen	Mr Sterling
Mr Kwinter	Mr Charlton
Temagami district resources	Mr Callahan
Mr Morin-Strom	Adjournment
Mr Peterson	Alphabetical list of members





